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ABSTRACT

Consolidating the most requested information on juvenile offenders and victims in the United States, this report presents statistical data in a user friendly format. The report is designed as a series of briefing papers on specific topics and contains short sections designed to be read in isolation from other parts of the report. The report is divided into seven chapters: (1) "Juvenile Population Characteristics"; (2) "Juvenile Victims"; (3) "Juvenile Offenders"; (4) "Juvenile Justice System Structure and Process"; (5) "Law Enforcement and Juvenile Crime"; (6) "Juvenile Courts and Juvenile Crime"; and (7) "Juveniles in Correctional Facilities." (Although primarily intended as a reference for the juvenile justice community, the document can also serve as a reference for teachers in law-related education (LRE) settings containing criminal justice components.) The report includes graphs, charts, maps, and diagrams. The inside cover of the report lists sources of additional information. Contains 19 references. (TSV)

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How to learn more about the information in this report

This report consolidates the most requested information on juvenile offenders and victims. Statistical information is presented in a user-friendly format. For that reason, explanations of methods are limited and bibliographic references are brief.

Data of national scope were used whenever they were available. If national data were not available, multi-jurisdictional data were used. Single-site data were used only when no multi-jurisdictional data were available.

Specific questions about the report as well as requests for information on the specific data sources, methods used, and the data points for the graphics should be directed to the authors at the National Center for Juvenile Justice, 710 Fifth Avenue, Pittsburgh, PA 15219-3000 (412-227-6950).

One by-product of this work is an electronic report on diskette — *Easy Access to FBI Arrest Statistics* — that presents juvenile and adult Violent and Property Crime Index arrest estimates for individual States and counties. A related software tool is *Easy Access to Juvenile Court Statistics* — an analysis package rather than an electronic report. It allows users to quickly analyze national delinquency case data. Both *Easy Access* products are extremely user-friendly and are available from the National Center for Juvenile Justice free of charge.

How to find more information on juvenile offenders and victims

More information on the topics covered in this report is available from a number of government sources.

Juvenile justice information and additional copies of this report are available through:

Juvenile Justice Clearinghouse
P.O. Box 6000
Rockville, MD 20849-6000
Internet Address:
look@ncjrs.aspensys.com.
800-638-8736

National Criminal Justice Reference Service (NCJRS)
800-851-3420

Information can also be obtained through these NCJRS clearinghouses:

Bureau of Justice Statistics Clearinghouse
800-732-3277

ONDCP Drugs & Crime Clearinghouse
800-666-3332

Additional information on reported crime and arrest data is available from the FBI:

User Services
Uniform Crime Reports
Ninth and Pennsylvania Avenue NW.
Washington, DC 20535
202-324-5051

Juvenile court data as well as State juvenile code statutes and analyses are available from:

National Center for Juvenile Justice
710 Fifth Avenue
Pittsburgh, PA 15219-3000
412-227-6950

Child maltreatment information is available through:

National Clearinghouse on Child Abuse and Neglect
P.O. Box 1182
Washington, DC 20013-1182
800-394-3366

Additional information on runaway and homeless youth can be obtained through:

National Clearinghouse on Runaway and Homeless Youth
P.O. Box 13505
Silver Spring, MD 20911-3505
301-608-8098

Education data can be obtained through:

National Center for Education Statistics
555 New Jersey Avenue NW.
Washington, DC 20208
800-424-1616 or 202-219-1513

For more population, poverty, or other information from the Census Bureau, contact:

Customer Services
Bureau of the Census
Washington, DC 20233-8300
301-457-4100

Mortality data are available from:

National Center for Health Statistics
Division of Vital Statistics
6525 Belcrest Road
Hyattsville, MD 20782
301-436-8500

Traffic safety information is distributed by:

National Highway Traffic Safety Administration
Office of Alcohol and State Programs
400 Seventh Street SW.
Washington, DC 20590
202-366-6979

Public use data files of many justice data sets are available through:

National Archive of Criminal Justice Data — ICPSR
P.O. Box 1248
Ann Arbor, MI 48106
800-999-0960 or 313-763-5010

Juvenile Offenders and Victims: A National Report

Howard N. Snyder

Melissa Sickmund

National Center for Juvenile Justice

August 1995

Shay Bilchik, Administrator
Office of Juvenile Justice and Delinquency Prevention

This report was prepared by the National Center for Juvenile Justice, the research division of the National Council of Juvenile and Family Court Judges, and was supported by cooperative agreement #90–JN–CX–K003 with the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs (OJP), U.S. Department of Justice.

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The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime.

Foreword

The juvenile justice system must react to the law-violating behaviors of youth in a manner that not only protects the community and holds youth accountable, but also enhances the youth's ability to live productively and responsibly in the community. The system must also intervene in the lives of abused and neglected children who lack safe and nurturing environments.

To respond to these complex issues, juvenile justice practitioners, policymakers, and the public must have access to useful and accurate information about the system and the youth serviced by the system. Much of the information needed is currently unavailable. When the information does exist, it is often too scattered or inaccessible to be useful.

To bridge the gap between existing information and the juvenile justice community, OJJDP requested that the National Center for Juvenile Justice prepare a report that pulls together the most requested information on juveniles and the juvenile justice system in the United States.

Before writing the report, the authors reviewed the products of national statistical systems to determine what information was available When national data were not available, the authors turned to credible subnational sources. Original analyses were conducted on dozens of data sets to develop findings that address the specific information needs of those involved with the juvenile justice system.

This report is the result of this effort. The report presents important, and at times complex, information using clear, nontechnical writing and easy-to-understand graphics and tables. It is designed as a series of briefing papers on specific topics, short sections designed to be read in isolation from other parts of the report.

The material presented here represents the most current and reliable information available in the fall of 1994 on juvenile offending and victimization and the juvenile justice system. Although some newer data are now available, the patterns displayed in this report remain accurate.

The authors realize that this report will be used mainly as a reference document, with readers turning to the pages on specific topics when the need arises. But I encourage you to explore other sections when time permits. In each section you will probably discover something new, something that will expand your understanding, confirm your opinions, or raise questions about what you believe to be true.

This report is modeled after the Bureau of Justice Statistics' (BJS) very successful *Report to the Nation on Crime and Justice*. Just as the BJS report has become a primary source of information on justice statistics, this report will become a primary source of information on juvenile crime, juvenile victimization, and the juvenile justice system and will provide a context for the debates over the direction we are taking to respond to these important social issues.

Shay Bilchik
Administrator

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Table of Contents

Chapter 1: Juvenile population characteristics **1**

A description of the juvenile population in the U.S. along dimensions and trends of interest to the juvenile justice community, including poverty, education, living arrangements, unwed teen mothers, and population growth. State- and county-level data are presented whenever possible.

Chapter 2: Juvenile victims **19**

A summary of what is known about the nature of and trends in juvenile victimizations, including juvenile homicides, other violent victimizations, offenders, use of weapons, level of injury, nature of crimes against young children, time of day when victimizations occur, child abuse and neglect, the link between abuse and subsequent delinquent behavior, missing children, and juvenile suicides.

Chapter 3: Juvenile offenders **45**

A description of the nature and trends of juvenile offending, including the proportion of crime in the U.S. caused by juveniles, juvenile law-violating careers, possession and use of weapons, gangs, homicides by juveniles, use of drugs, and the link between substance abuse and delinquency.

Chapter 4: Juvenile justice system structure and process **69**

A description of the characteristics of juvenile justice systems and the legislation that controls these systems. Characteristics of juvenile and criminal justice systems are compared, and brief descriptions of significant Supreme Court cases are presented. State variations in the expressed purpose of the juvenile justice system, the definition of a juvenile, the administration of juvenile services, and the criteria for transfer to the criminal system are also described.

Chapter 5: Law enforcement and juvenile crime **97**

A summary of trends in the flow of juveniles into the justice system through law enforcement agencies. National statistics are presented on long-term juvenile arrest trends and trends in the proportion of crimes cleared by juvenile arrest. These trends are detailed by offense and juvenile demographic characteristics. Juvenile arrest trends are compared with adult trends, resulting in a clearer understanding of the juvenile responsibility for the growth in violent crime in recent years. Projections of juvenile arrests in the year 2010 are also presented. In addition to national statistics, this chapter also contains State- and county-level maps displaying juvenile violent and property crime arrest rates.

Chapter 6: Juvenile courts and juvenile crime **123**

A description of the flow of cases in U.S. juvenile courts and court responses to offenders. Volume and trends in cases referred to juvenile courts are detailed by offense category and juvenile demographics, as well as the likelihood of detention, adjudication, probation, and placement. The chapter describes court use of detention, including admission trends, variations in State detention rates, and the conditions of confinement within detention centers. This chapter also summarizes the nature of juvenile court careers and what is known about the effect of transferring a juvenile to criminal court.

Chapter 7: Juveniles in correctional facilities **163**

A description of annual admissions to long-term juvenile facilities, admissions by offense, demographics of these juveniles, and admission rates by State. The conditions of juvenile confinement are also documented in terms of institutional crowding, security procedures, access to health care, and staff and inmate injury rates. Information on juveniles on death row is also presented.

Index **183**

Chapter 1

Juvenile population characteristics

Juveniles in the United States today live in a world much different from that of their parents or grandparents. A greater proportion of juveniles live in poverty today than 20 years ago. More and more children are born to unmarried mothers. For many children, their parents are still children. Fewer children are being raised in two-parent families. Juveniles today live in a Nation with greater racial and ethnic diversity. While high school dropout rates have fallen for most juveniles, the rates are still too high, especially in an employment market where unskilled labor is needed less and less.

This chapter presents a brief overview of some of the more commonly requested demographic, economic, and sociological statistics on juveniles. The sections summarize demographic and poverty data developed by the U.S. Bureau of the Census, educational data from the National Center for Education Statistics, and birth statistics from the National Center for Health Statistics.

Acknowledgments

This chapter was prepared by Howard Snyder. Eileen Poe contributed significantly to sections in this chapter.

69 million Americans — more than 1 in 4 — are under age 18

The juvenile population is growing

In 1995, 69 million persons in the United States were below age 18, the group commonly referred to as *juveniles*. The juvenile population declined during the late 1970's and early 1980's. Since 1984, however, it has been increasing. The juvenile population is projected to reach 74 million by the year 2010. Alone, this population growth will lead to an increased number of juvenile victims of abuse and neglect, more juvenile offenders, and increased case flow into the juvenile justice system.

The juvenile population in 2010 will also include a greater proportion of older juveniles and a greater proportion of racial and ethnic minorities. These changing demographic characteristics are correlated with social factors which, if current patterns hold, will produce added and differential demands on the various components of the juvenile justice system.

Between 1990 and 2010, the juvenile population in the U.S. will increase and become more racially and ethnically diverse

	Population		Increase	
	1990	2010	Number	Percent
All juveniles	64,185,000	73,617,000	9,432,000	15%
Ages 0–4	18,874,000	20,017,000	1,143,000	6
Ages 5–9	18,064,000	19,722,000	1,658,000	9
Ages 10–14	17,191,000	20,724,000	3,533,000	21
Ages 15–17	10,056,000	13,154,000	3,098,000	31
White	51,336,000	55,280,000	3,944,000	8%
Black	9,896,000	12,475,000	2,579,000	26
Native American	745,000	886,000	141,000	19
Asian/Pacific Islander	2,208,000	4,976,000	2,768,000	125
Hispanic origin	7,886,000	13,543,000	5,657,000	71%

- Between 1990 and 2010, not only will the size of the juvenile population increase, but so will the average age.
- The growth in the white juvenile population between 1990 and 2010 will be the result of an increase in white-Hispanics; the number of non-Hispanic white juveniles is expected to decline over the period.

Note: Race categories include persons of Hispanic origin. Persons of Hispanic origin can be of any race.

Sources: Bureau of the Census. (1993). *Current population reports, U.S. population estimates by age, sex, race and Hispanic origin: 1980 to 1991.* Bureau of the Census. (1993). *Current population reports, population projections of the U.S., by age, sex, race and Hispanic origin: 1993 to 2050.*

Alaska, Nevada, and Arizona had the greatest relative increases in juvenile populations between 1980 and 1990

State	Pct. chg. 1980–90	State	Pct. chg. 1980–90	State	Pct. chg. 1980–90	State	Pct. chg. 1980–90
United States	1%	Idaho	3%	Missouri	-3%	Pennsylvania	-10%
Alabama	-8	Illinois	-9	Montana	2	Rhode Island	-6
Alaska	40	Indiana	-10	Nebraska	0	South Carolina	-2
Arizona	25	Iowa	-12	Nevada	39	South Dakota	9
Arkansas	-7	Kansas	3	New Hampshire	8	Tennessee	-6
California	22	Kentucky	-11	New Jersey	-9	Texas	13
Colorado	7	Louisiana	-7	New Mexico	8	Utah	18
Connecticut	-8	Maine	-3	New York	-8	Vermont	-1
Delaware	-1	Maryland	0	North Carolina	-2	Virginia	3
Dist. of Columbia	-17	Massachusetts	-9	North Dakota	1	Washington	11
Florida	22	Michigan	-10	Ohio	-9	West Virginia	-20
Georgia	7	Minnesota	0	Oklahoma	-1	Wisconsin	-5
Hawaii	2	Mississippi	-5	Oregon	1	Wyoming	-6

Sources: Bureau of the Census. (1992). *1990 census of population and housing: Modified age/race, sex, and Hispanic origin (MARS) State and county file* [machine-readable data file]. Bureau of the Census. (1992). *1980–1989 revised estimates of the population of counties by age, sex, and race* [machine-readable data file].

After the District of Columbia, States with the smallest proportions of white juveniles in 1990 were Hawaii (31%), Mississippi (54%), Louisiana (60%), and South Carolina (61%)

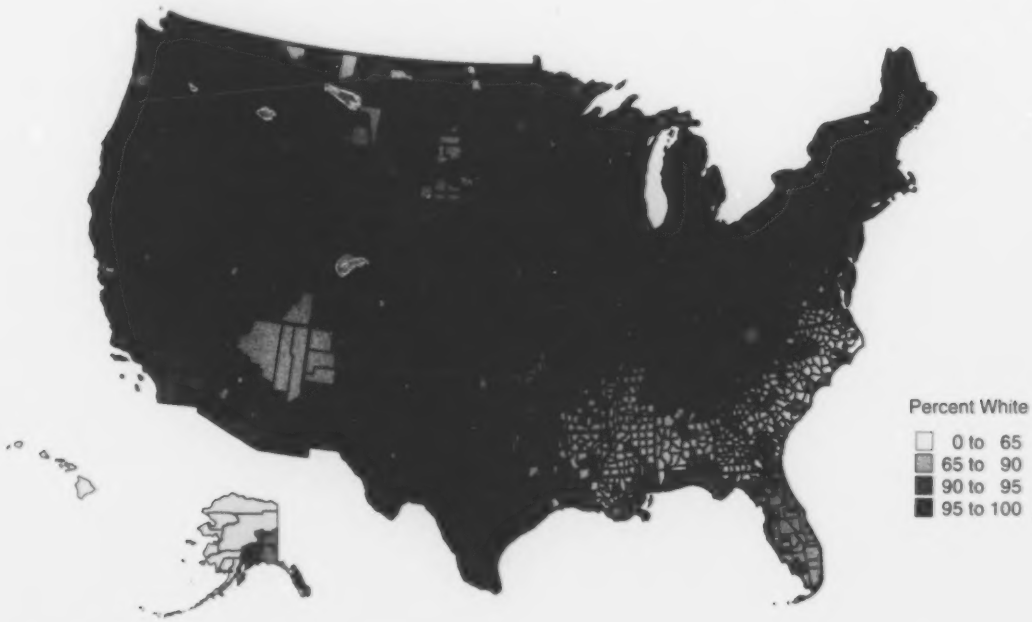
	Juvenile population (ages 0–17)							Juvenile population (ages 0–17)					
State	White	Black	Native Amer.	Asian	Total	Hispanic origin	State	White	Black	Native Amer.	Asian	Total	Hispanic origin
United States	80%	15%	1%	3%	100%	12%	Missouri	85%	14%	0%	1%	100%	2%
Alabama	66	32	1	1	100	1	Montana	90	0	9	1	100	2
Alaska	71	5	20	4	100	4	Nebraska	93	5	1	1	100	3
Arizona	85	4	9	2	100	27	Nevada	85	9	2	3	100	14
Arkansas	77	22	1	1	100	1	New Hamp.	98	1	0	1	100	1
California	79	9	1	11	100	35	New Jersey	78	18	0	5	100	12
Colorado	92	5	1	2	100	18	New Mexico	84	2	12	1	100	46
Connecticut	86	12	0	2	100	10	New York	74	21	0	4	100	16
Delaware	76	22	0	2	100	3	N. Carolina	69	28	2	1	100	1
DC	17	81	0	1	100	6	N. Dakota	92	1	7	1	100	1
Florida	77	21	0	2	100	14	Ohio	86	13	0	1	100	2
Georgia	65	34	0	1	100	2	Oklahoma	78	10	11	1	100	4
Hawaii	31	3	1	66	101	11	Oregon	93	2	2	3	100	6
Idaho	97	0	2	1	100	7	Pennsylvania	87	12	0	2	100	3
Illinois	78	19	0	3	100	11	Rhode Island	90	7	1	3	100	7
Indiana	89	10	0	1	100	3	S. Carolina	61	38	0	1	100	1
Iowa	96	2	0	1	100	2	S. Dakota	87	1	12	1	100	1
Kansas	90	7	1	2	100	6	Tennessee	78	21	0	1	100	1
Kentucky	91	9	0	1	100	3	Texas	84	14	0	2	100	34
Louisiana	60	38	1	1	100	2	Utah	96	1	2	2	100	6
Maine	98	1	1	1	100	1	Vermont	98	0	0	1	100	1
Maryland	67	30	0	3	100	3	Virginia	74	23	0	3	100	3
Mass.	89	8	0	3	100	8	Washington	88	4	3	5	100	7
Michigan	81	17	1	1	100	3	West Virginia	96	4	0	0	100	1
Minnesota	92	3	2	3	100	2	Wisconsin	89	8	1	2	100	3
Mississippi	54	45	0	1	100	1	Wyoming	95	1	3	1	100	8

- States with more than 95% white juvenile populations were Vermont, New Hampshire, Maine, Idaho, West Virginia, Utah, Iowa, and Wyoming.
- After the District of Columbia (81%), States with the largest proportions of black juveniles were Mississippi (45%), South Carolina (38%), Louisiana (38%), Georgia (34%), Alabama (32%), and Maryland (30%).
- States with the largest proportions of Native Americans in their juvenile populations were Alaska (20%), New Mexico (12%), South Dakota (12%), Oklahoma (11%), Montana (9%), and Arizona (9%).
- States with the largest proportions of Hispanics in their juvenile populations were New Mexico (46%), California (35%), Texas (34%), and Arizona (27%).

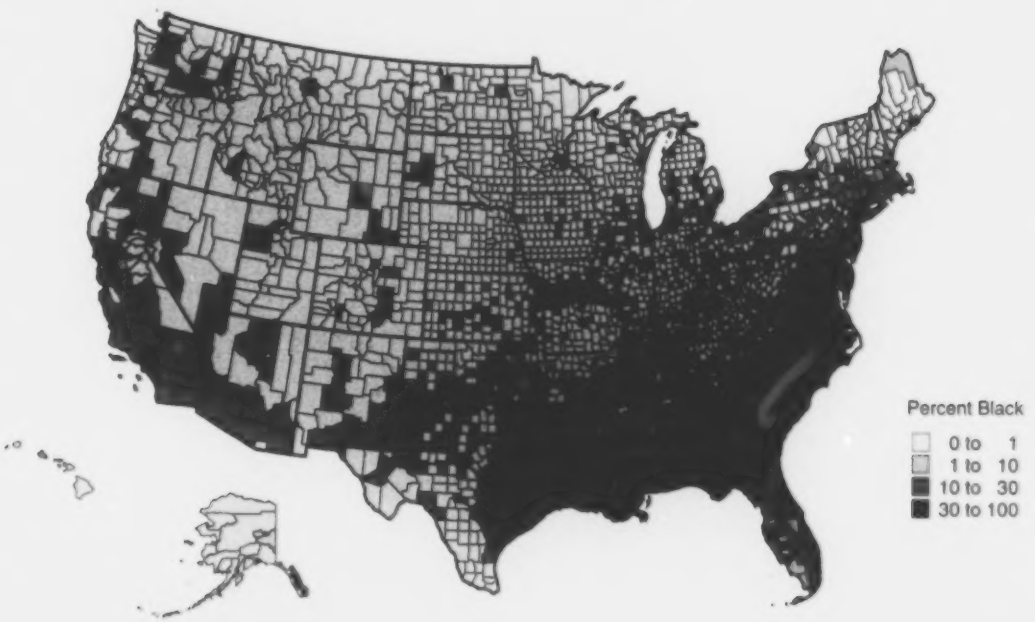
Note: Race proportions include persons of Hispanic origin. Persons of Hispanic origin can be of any race.

Source: Bureau of the Census. (1992). *1990 census of population and housing: Modified age/race, sex, and Hispanic origin (MARS) State and county file* [machine-readable data file].

White proportion of juvenile population (ages 0–17), 1990



Black proportion of juvenile population (ages 0–17), 1990



Source: Bureau of the Census. (1992). *1990 census of population and housing: Modified age race, sex, and Hispanic origin (MARS) State and county file* [machine-readable data file].

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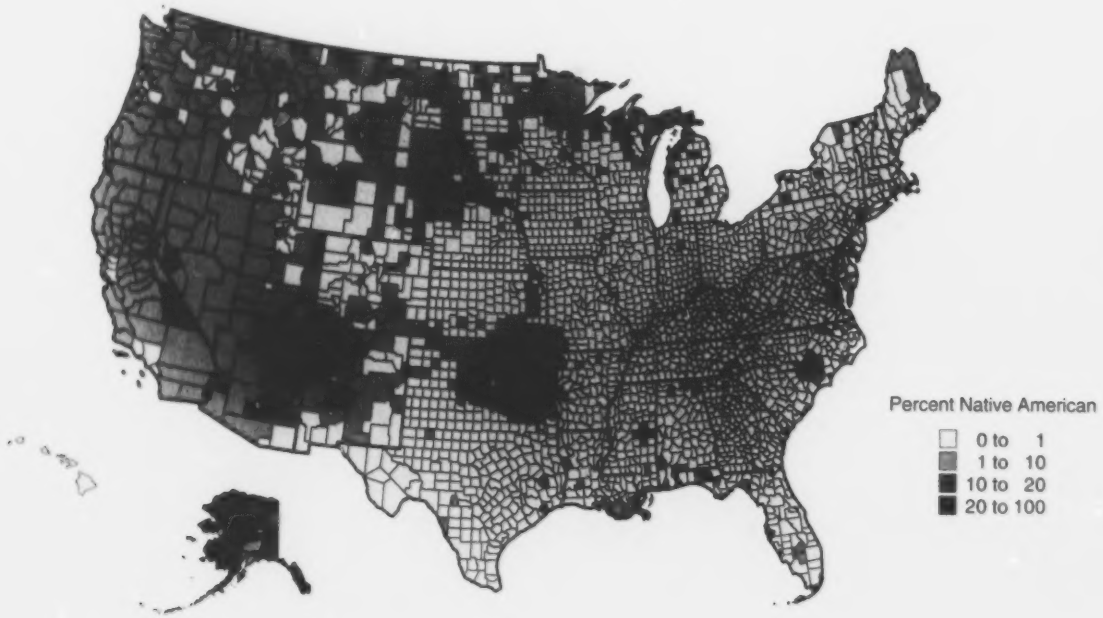
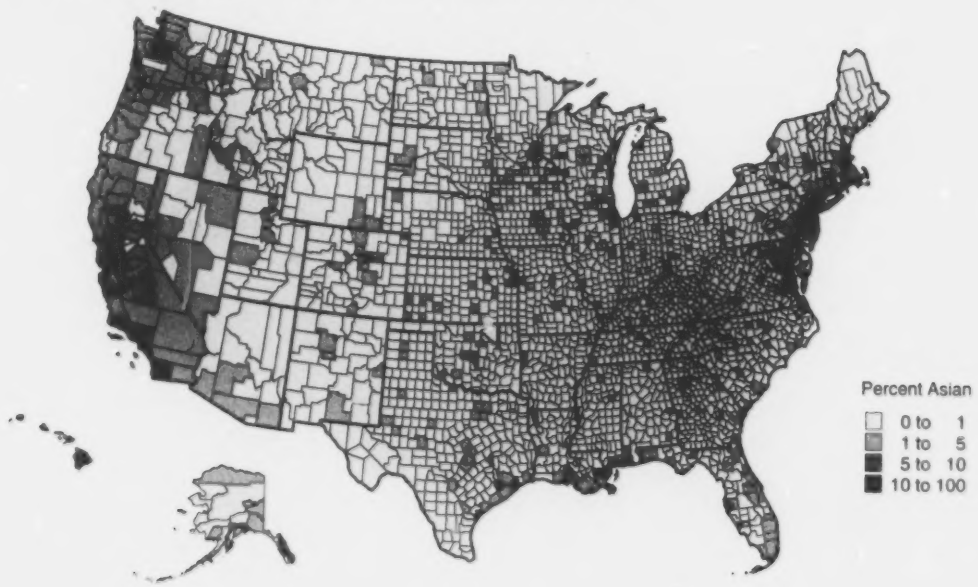
Native American proportion of juvenile population (ages 0–17), 1990



Asian/Pacific Islander proportion of juvenile population (ages 0–17), 1990



Source: Bureau of the Census. (1992). *1990 census of population and housing: Modified age/race, sex, and Hispanic origin (MARS) State and county file* [machine-readable data file].

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Proportion of juveniles (ages 0–17) of Hispanic origin in the juvenile population, 1990

Source: Bureau of the Census. (1992). *1990 census of population and housing: Modified age/race, sex, and Hispanic origin (MARS) State and county file* [machine-readable data file].

One in 8 juveniles is of Hispanic origin

In 1990, 12% of the juvenile population in the U.S. was of Hispanic origin. Persons of Hispanic origin can be of any race. Racially, 91% of Hispanic juveniles in 1990 were white, 5% were black, 1% were Native American, and 2% were Asian/Pacific Islander.

In 1992, 3 in 10 juveniles lived in urban areas

A metropolitan statistical area (MSA) contains a large central population along with adjacent communities that are integrated both economically and socially into the central population. The metropolitan area is the territory outside the central city but within the MSA. A nonmetropolitan area refers to an area outside an MSA.

In 1992, 30% of juveniles lived in central cities, 47% lived in the metropolitan areas outside a central city, and 23% lived outside an MSA. Most black juveniles and juveniles of Hispanic origin lived in central cities, while most white juveniles lived outside of central cities.

Where do juveniles live?

	Central city	Metro-politan	Non-metro-politan	Total
All races	30%	47%	23%	100%
White	24	51	25	100
Black	56	28	16	100
Other	38	46	16	100
Hispanic	52	39	8	100

Note: Race proportions include persons of Hispanic origin. Persons of Hispanic origin can be of any race.

Source: Bureau of the Census. (1993). Poverty in the United States: 1992. *Current Population Reports: Consumer Income.*

In 1992, 3 in 10 juveniles living in central cities were black, and 2 in 10 were Hispanic

More than 3 in 4 juveniles living outside of central cities in 1992 were non-Hispanic whites. In central cities, non-Hispanic whites were only 43% of the juvenile population.

What are the racial and ethnic profiles of juveniles living in different geographical areas?

	All areas	Central city	Metro-politan	Non-metro-politan
White	80%	64%	86%	86%
Black	15	30	9	11
Other	5	6	5	3
Total	100%	100%	100%	100%
Hispanic	12%	21%	10%	4%

Note: Race proportions include persons of Hispanic origin. Persons of Hispanic origin can be of any race.

Source: Bureau of the Census. (1993). Poverty in the United States: 1992. *Current Population Reports: Consumer Income.*

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influenced substantially by the 116% increase in the number of juveniles in poverty who were of Hispanic origin (who are predominately white).

Poor minority children are concentrated in central cities

Where do poor children live?

	Central city	Metro-politan	Non-metro-politan	Total
All races	44%	31%	25%	100%
White	34	37	29	100
Black	60	22	18	100
Other	49	30	21	100
Hispanic	60	30	10	100

Note: Race proportions include persons of Hispanic origin. Persons of Hispanic origin can be of any race.

Thirty percent of the juvenile population in the U.S. lived in central cities in 1992, but central cities housed 44% of all juveniles living in poverty. Metropolitan areas housed 47% of all juveniles and only 31% of juveniles living in poverty.

Even though a greater *proportion* of black than white juveniles in central cities were poor, there were nearly the same *number* of white and black juveniles living in poverty in central cities, since 64% of all juveniles in central cities in 1992 were white.

Poverty rates were lowest in metropolitan areas

Across all types of communities, black juveniles and juveniles of Hispanic origin were more likely than were white juveniles and juveniles of other races to be poor in 1992.

What proportion of juveniles live in poverty in various geographical areas?

	All areas	Central city	Metro-politan	Non-metro-politan
All races	22%	32%	14%	24%
White	17	24	12	20
Black	47	50	36	52
Other	23	30	15	30
Hispanic	40	46	31	48

Note: Race proportions include persons of Hispanic origin. Persons of Hispanic origin can be of any race.

For all groups, poverty rates were lower in metropolitan areas than in urban centers or rural areas.

In 1990, counties with a high percentage of juveniles living in poverty were often located in southern States

Source: Bureau of the Census. (1993). *1990 census of population and housing summary tape file 3C* [machine-readable data file].

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In 1992, 14.6 million juveniles lived below the poverty level, which was 42% more juveniles living in poverty than in 1976

In 1992, 22% of all juveniles in the U.S. lived in poverty

In 1992 the poverty threshold for a family of four was $14,300. Juveniles under age 18 were 26% of the U.S. population, but were 40% of all persons living below the poverty level in 1992. Young juveniles were more likely to be poor than were older juveniles; 25% of children under age 6 lived in poverty compared with 19% of children ages 7–17.

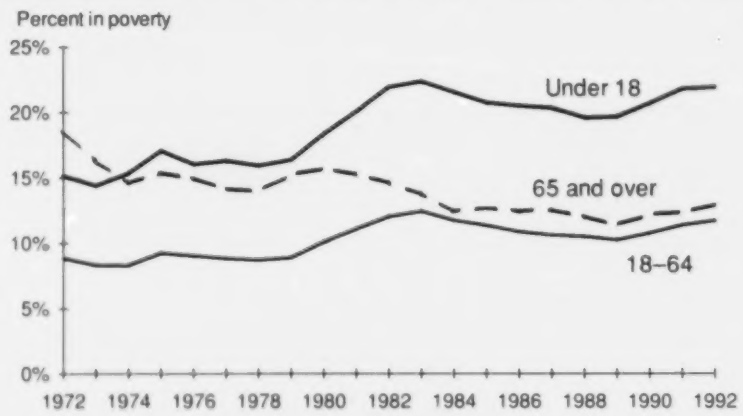
Minority juveniles were more likely to live in poverty than were nonminority juveniles. In 1992 the poverty rates for black juveniles (47%) and juveniles of Hispanic origin (40%) were far greater than the rate for white juveniles (17%).

Juveniles in the early 1990's were more likely to live in poverty than were juveniles in the 1970's. Between 1972 and 1992 poverty rates for juveniles increased from 16% to 22%, while they decreased from 15% to 13% for those over age 65.

In 1992 families with children were 3 times more likely to live in poverty than those without children. While poverty rates among families without children remained stable between 1977 and 1992, the poverty rate among families with children increased from 13% to 18% during this time. The poverty rate among white families with children was 14% in 1992 compared with 39% among black families, 18% among families of other races, and 32% among Hispanic families.

Between 1976 and 1992 the number of juveniles living in poverty grew 42%. The number of black juveniles in poverty increased 30%, compared with a 45% increase for white juveniles. The larger increase in the number of white juveniles in poverty was

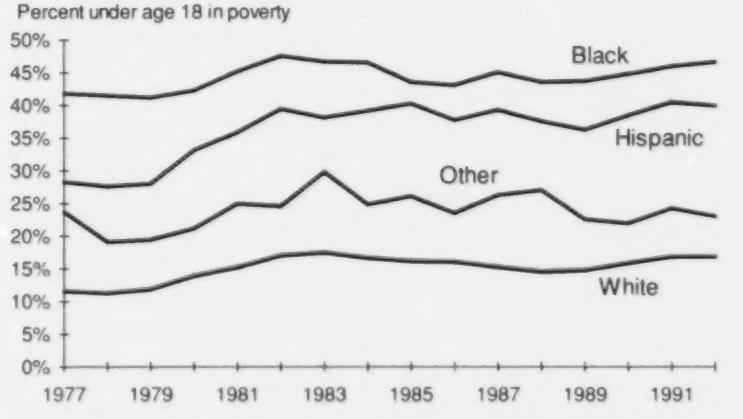
Since 1974 poverty rates have been higher for juveniles than for the elderly



- In 1992 the child poverty rate — the proportion of those under age 18 who lived below the poverty level — was almost double the poverty rate for those 18 and over.

Source: Bureau of the Census. (1993). Poverty in the United States: 1992. *Current Population Reports: Consumer Income.*

Between 1977 and 1992 increases in the proportion of juveniles living in poverty was greatest among those of Hispanic origin



- In 1992, 9 million white juveniles, 5 million black juveniles, 0.7 million juveniles of other races, and 3 million juveniles of Hispanic origin were living in poverty.

Note: Race proportions include persons of Hispanic origin. Persons of Hispanic origin can be of any race.

Source: Bureau of the Census. (1993). Poverty in the United States: 1992. *Current Population Reports: Consumer Income.*

The proportion of juveniles under age 18 living in poverty in 1989 varied substantially by State

	Total	White	Black	Native Amer.	Asian	Hispanic origin		Total	White	Black	Native Amer.	Asian	Hispanic origin
United States	18%	12%	40%	39%	17%	32%	Missouri	18%	14%	41%	26%	18%	20%
Alabama	24	13	47	25	19	23	Montana	20	17	*	53	18	36
Alaska	11	7	14	26	8	12	Nebraska	14	11	43	57	18	28
Arizona	22	15	36	53	15	35	Nevada	13	10	33	30	11	21
Arkansas	25	18	52	26	18	32	New Hamp.	7	7	15	*	13	16
California	18	13	31	27	20	27	New Jersey	11	6	28	26	6	28
Colorado	15	12	34	35	18	33	New Mexico	28	22	35	50	18	35
Connecticut	11	6	29	21	7	41	New York	19	12	34	30	15	42
Delaware	12	6	31	*	7	25	N. Carolina	17	9	36	30	16	24
DC	25	5	29	*	16	26	N. Dakota	17	14	15	58	*	27
Florida	19	12	41	26	13	25	Ohio	18	13	45	30	14	32
Georgia	20	10	40	25	11	24	Oklahoma	22	17	45	35	16	36
Hawaii	12	10	12	25	12	18	Oregon	16	14	36	32	19	34
Idaho	16	15	22	40	21	35	Pennsylvania	16	12	41	31	21	47
Illinois	17	10	43	24	9	25	Rhode Island	14	10	36	39	34	41
Indiana	14	11	40	30	12	22	S. Carolina	21	9	40	27	12	19
Iowa	14	13	51	43	24	27	S. Dakota	20	15	27	63	17	28
Kansas	14	11	40	27	22	24	Tennessee	21	15	43	31	16	24
Kentucky	25	23	47	42	17	26	Texas	24	18	39	26	16	40
Louisiana	31	15	56	47	34	23	Utah	13	11	35	47	20	27
Maine	14	14	26	28	14	16	Vermont	12	12	*	*	*	12
Maryland	11	6	23	18	8	12	Virginia	13	8	31	19	8	12
Mass.	13	9	33	35	24	49	Washington	15	12	31	38	20	34
Michigan	19	12	46	32	15	30	West Virginia	26	25	50	*	8	34
Minnesota	13	10	49	55	37	31	Wisconsin	15	10	56	46	49	34
Mississippi	34	15	56	46	40	31	Wyoming	14	13	32	49	*	28

* Number too small to obtain a reliable percentage.

Note: Race proportions include persons of Hispanic origin. Persons of Hispanic origin can be of any race.

Source: Bureau of the Census. (1993). *1990 census of population and housing summary tape file 3C* [machine-readable data file].

Fewer children lived with both parents in 1990 than in the past

A growing proportion of children are born to unmarried mothers

In 1960, 1 birth in 20 was to an unmarried woman; by 1990 it was 1 birth in 4. Over the same time period, the number of divorces in the U.S. nearly tripled. As a result of both trends, more children are living in single-parent households.

Three in 4 juveniles in 1990 lived in two-parent families

Between 1970 and 1990 the proportion of children living in two-parent families declined from 85% to 73%. This decline was paralleled by a similar increase in the proportion of children living in families where only the mother was present.

	Percent of children			
	1970	1980	1985	1990
Both parents	85%	77%	74%	73%
Single-headed	15	23	26	27
Mother	11	18	21	22
Father	1	2	3	3
Other	3	4	3	3

Note: Detail may not total 100% due to rounding.

Source: U.S. Congress. (1992). *1992 green book.*

The proportion of children living with a *never-married* single parent also increased, from less than 1% in 1970 to 8% in 1990.

There were declines in the proportions of both white and black two-parent families

There were substantial declines between 1970 and 1990 in the proportions of two-parent families for both white and black families. Black families, however, had the greatest decrease in the proportion of two-parent families. In 1970, 90% of white families with children under age 18 had both parents living at home. By 1990 this proportion had decreased to 77%. For black families, the decline was from 64% in 1970 to 39% in 1990. These declines in two-parent families resulted in far more mothers than fathers taking over the responsibility of the household.

	Percent of families			
	White		Black	
	1970	1990	1970	1990
2-parent family	90%	77%	64%	39%
Mother only	9	18	33	56
Father only	1	4	3	4

Note: Detail may not total 100% because of rounding.

Source: U.S. Congress. (1992). *1992 green book.*

Even though white households contained a smaller proportion of single-parent families, because of their greater numbers, the majority of single-parent families in 1990 were white.

Half of all children will spend some time in a single-parent home

Though a child may live in a particular type of family at a particular time, living arrangements for that child may change over time. While 25% of children lived in a single-parent home at one point in 1990, half of all children born during the 1970's and 1980's will spend at least some time in a single-parent home. More specifically, 36% of all white children, 43% of all children of Hispanic origin, and 80% of all black children born between 1970 and 1980 will live in a single-parent household for some period of time.

The fact that a child lives with an unmarried mother does not necessarily mean that he or she lives in a single-parent home. In 1987, for example, more than 40% of unmarried, cohabitating adults had children in the home.

Children in single-parent families are more likely to be in poverty than those in two-parent families

In 1989, 46% of children in single-parent families were living in poverty. Those in families where only the mother was present were more likely to be in poverty (50%) than those in families where only the father was present (24%). In comparison, only 9% of children in two-parent families were living in poverty. Thus, most children in poverty are living with only their mothers.

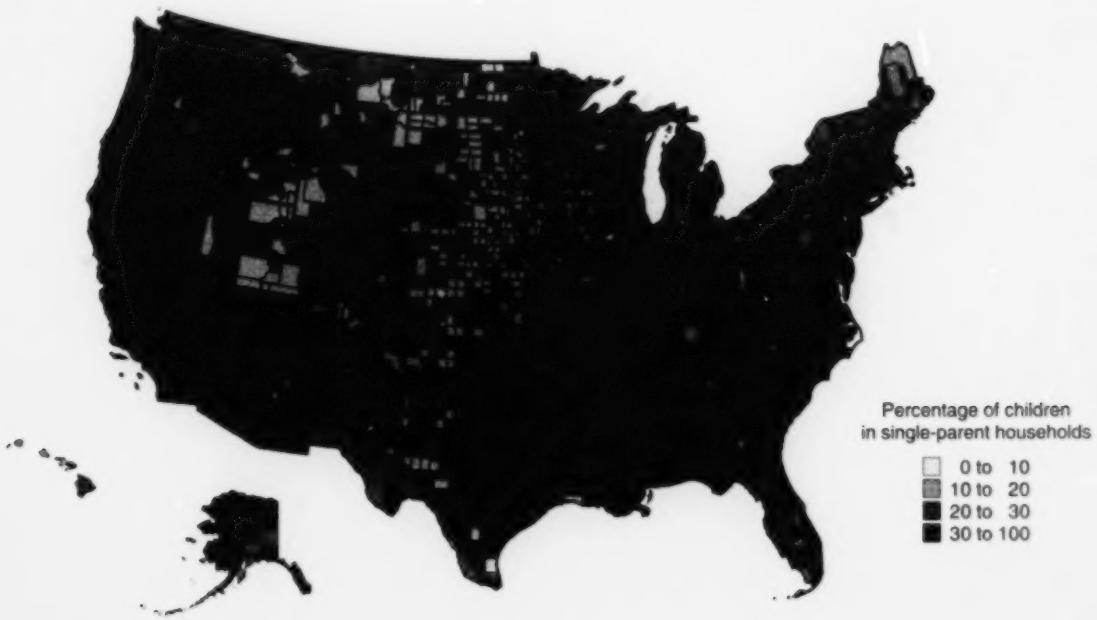
	Percent of all children in poverty who live in mother-only families			
	1960	1970	1980	1990
All races	24%	46%	53%	58%
White	21	37	41	47
Black	*	61	75	80
Hispanic	*	*	47	48

* Data not available

Note: Race proportions include persons of Hispanic origin. Persons of Hispanic origin can be of any race.

Source: National Center for Education Statistics (1993). *Youth indicators 1993: Trends in the well-being of American youth.*

Counties in a State varied substantially in the proportion of their children living in single-parent families in 1990



United States	24%	Idaho	15%	Missouri	22%	Pennsylvania	22%
Alabama	27	Illinois	24	Montana	19	Rhode Island	23
Alaska	20	Indiana	21	Nebraska	17	S. Carolina	28
Arizona	24	Iowa	17	Nevada	25	S. Dakota	18
Arkansas	24	Kansas	18	New Hamp.	16	Tennessee	25
California	24	Kentucky	21	New Jersey	23	Texas	23
Colorado	21	Louisiana	32	New Mexico	25	Utah	13
Connecticut	22	Maine	20	New York	28	Vermont	20
Delaware	24	Maryland	26	N. Carolina	25	Virginia	22
DC	57	Mass.	23	N. Dakota	15	Washington	21
Florida	27	Michigan	26	Ohio	23	West Virginia	20
Georgia	28	Minnesota	17	Oklahoma	22	Wisconsin	20
Hawaii	19	Mississippi	33	Oregon	21	Wyoming	18

Source: Bureau of the Census. (1993). *1990 census of population and housing summary tape file 3C* [machine-readable data file].

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200,000 babies were born to mothers below age 18 in 1991 — 4 in 5 of these mothers were unmarried

5% of all babies born in 1991 were born to juvenile mothers

In 1991, more than 200,000 babies were born to mothers under age 18. These births were 5% of the total number of births in the U.S. in 1991. Ninety-four percent of these births were to mothers ages 15–17, and 6% (12,000 births) were to mothers younger than age 15. Teen childbirth creates disadvantages for both the mother and infant. For example, infants born to teens are at more risk of low birth weight than any other group.

Births to unmarried teens have risen considerably

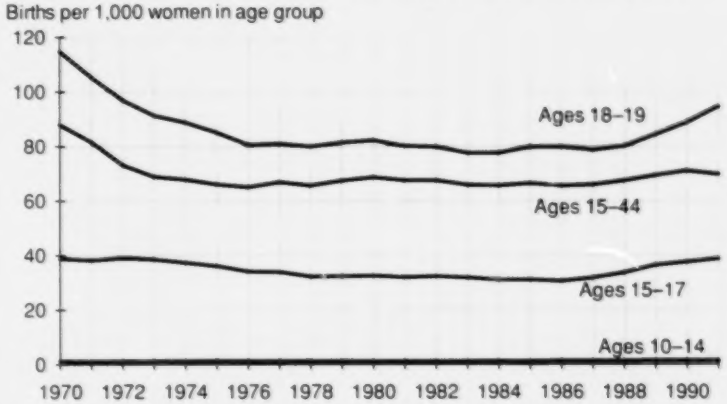
In 1991, 30% of all births were to unmarried women. The 1.2 million births to unmarried women in 1991 is 82% more than in 1980. The 1991 figure translates into 45 births per 1,000 unmarried women ages 15–44.

In 1991 there were 159,000 births to unmarried women under age 18, 11,000 of which were to girls younger than 15. Births to mothers below age 18 accounted for 13% of all births to unmarried women. Between 1980 and 1991, the birth rate for unmarried women ages 15–17 increased by 50%.

Who are the fathers?

- In 33% of the births to mothers age 19 or younger, the father was also a teenager. In 52% the fathers were ages 20–24.
- In 1991 there were 25 births in which the fathers were ages 15–19 for every 1,000 males in this age group. This represents a 6% increase over the 1990 rate and a 36% increase over the 1987 rate.

Teen birth rates in 1991 returned to the high levels of the early 1970's



- In 1991 there were 70 births for every 1,000 women of child bearing age (15–44). This rate was 2% lower than the 1990 rate but 6% above the 1987 rate.
- In 1991 the birth rate for women ages 15–17 was 39 births for every 1,000 women, 3% above the 1990 rate and 27% above the 1986 rate (which was the lowest rate for this age group since at least 1970).
- If the birth rate for teenagers had remained at the 1986 level for the years 1987–1991, there would have been 126,000 fewer births to these women.
- The 1991 birth rate for 15–17-year-olds was less than half the rate for 18–19-year-olds.
- For young girls ages 10–14, the 1991 birth rate was 1.4, unchanged from the previous 2 years. The lowest birth rates for this group were in 1971 and 1980–1983, when there were 1.1 births for every 1,000 girls.

Source: National Center for Health Statistics. (1993). Advance report on final natality statistics, 1991. *Monthly Vital Statistics Report, 42*(3).

Most teenage mothers are unwed mothers

In 1991 the mother was unmarried in 79% of all births to women under age 18. The proportion of births to unwed juveniles varied by age and race. The proportion of births to unwed mothers decreased with age — 87% for 15-year-olds compared with 75% for 17-year-olds. The proportion of births to unwed mothers was greater for blacks than for whites — 70% for white mothers below age 18 and 96% for black mothers below age 18.

	Percent of births to unmarried women in 1991		
Age	All races	White	Black
All Ages	**30%**	**22%**	**68%**
Under 18	79	70	96
Under 15	91	84	98
15	87	80	97
16	81	73	96
17	75	66	95
18	68	58	92
19	59	49	88
20–24	39	30	75
25–29	19	14	55

Source: National Center for Health Statistics. (1993). *Monthly Vital Statistics Report, 42*(3).

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Infants born to teens have the greatest risk of low birth weight

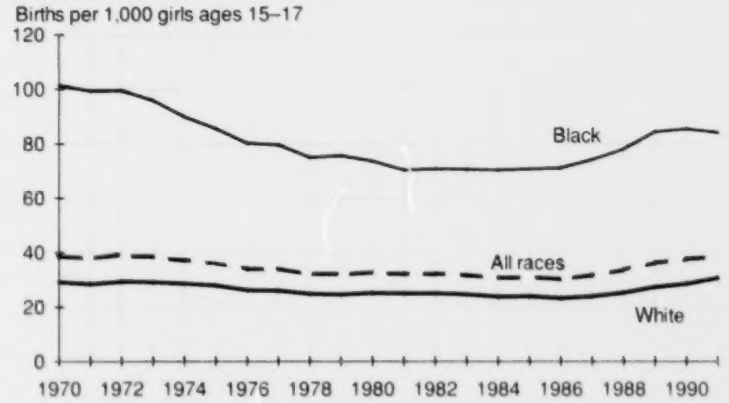
Overall, in 1991 low birth weights occurred in 10% of births to mothers age 17 or younger. In contrast, 7% of births to those over age 17 were low birth weight births. In 1991 black teen mothers were more likely than white teen mothers to have a low birth weight baby.

Mother's age	Percent of low birth weight births in 1991		
	All races	White	Black
All Ages	**7%**	**6%**	**14%**
Under 18	10	8	14
Under 15	14	11	16
15	11	9	14
16	10	8	14
17	10	8	13
18	9	8	13
19	8	7	13
20–24	7	6	13
25–29	6	5	13
30–34	7	5	15
35–39	8	6	16
40–44	8	7	16

Note: Birth weights of less than 5 pounds 8 ounces are defined as low birth weights.

Source: National Center for Health Statistics. (1993). *Monthly Vital Statistics Report, 42*(3).

In 1991, the rate for black births to women ages 15–17 was about 3 times the rate for white births



- Racial and ethnic differences in birth rates may reflect differences in socio-economic status, access to family planning and abortion services, and the use of contraception. For example, a study by Mosher and McNally found that during 1983–1988 Hispanic and black women were less likely to use contraception during their first premarital sexual intercourse than were white women (32% and 58% versus 70%).
- In 1991, 3 in 10 births to white teens were to Hispanic women. The birth rate for Hispanic teens ages 15–17 was triple the rate for non-Hispanic whites.
- The birth rate for black 15–17-year-olds in 1991 was nearly 4 times the rate for non-Hispanic whites.

Note: In 1991 the race of the child was the mother's race. Race of child for previous years was based on information on the mother and father. Children of mixed-racial parentage with one white parent were assigned the race of the other parent. When neither parent was white, the child was generally assigned the father's race.

Source: National Center for Health Statistics. (1993). *Monthly Vital Statistics Report, 42*(3).

Recent studies find sexual activity related to substance abuse

Two recent longitudinal studies of youth in high crime areas in Denver, Colorado, and Rochester, New York, found that juveniles reported a high prevalence of sexual activity and pregnancy. In subjects between ages 13 and 17, more than half of the boys and almost half of the girls reported that they had engaged in sexual intercourse and were currently sexually active. In addition, about 1 in 3 girls in the Denver and Rochester studies reported they had been pregnant at least once by age 17.

Girls who had been pregnant also reported substantially higher rates of substance abuse. This is a major public health concern because such behavior poses a significant threat to the well-being of not only the girls, but also to the children of these young mothers.

School dropout rates declined between 1978 and 1992

More than 383,000 students in grades 10 through 12 withdrew from school in 1992

Four percent of all high school students dropped out of school in 1992. Male and female students withdrew at about the same rate during 1992. Fifty-nine percent of students who dropped out of high school in 1992 were white, although dropout rates did not differ significantly by race or ethnicity.

The proportion of high school students dropping out declined from 7% in 1978 to 4% in 1992. The dropout rates for both white and black students declined, while there has been no clear trend for Hispanics.

Older high school students were more likely than younger students to drop out in 1992

Age of high school student	Percent who dropped out in 1992
15–16	2.5%
17	3.2
18	4.4
19	8.9

More than half of the students who withdrew from school in 1992 were 17 or 18 years old. Correspondingly, the likelihood that a student in grade 12 would drop out of school in 1992 (7%) was more than double that of students in grades 10 and 11 (3%).

Dropout rates vary by family income level, not by type of community

The majority of students who dropped out of school in 1992 lived in middle income families. However, the likelihood of dropping out during the year was highest among high school students from low income families.

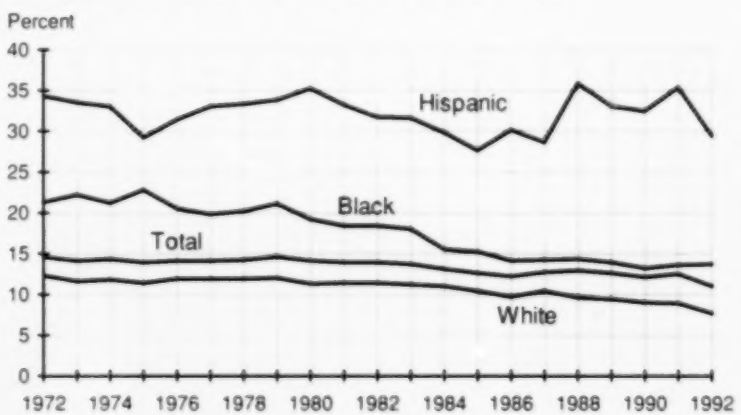
The proportion of students in central cities who dropped out in 1992 was not significantly greater than in other communities.

In 1992, 3.4 million persons ages 16–24 were high school dropouts

The cumulative result of these annual dropout rates reveals the extent of the dropout problem in the U.S. In 1992, 11% of all 16–24-year-olds had dropped out of school before receiving a high school degree. This rate was much higher for Hispanics (29%) than for blacks (14%) or whites (8%).

Thirty-nine percent of all dropouts withdrew from school before completing 10th grade. Nearly three-fifths of all Hispanic dropouts had less than a 10th grade education, compared with one-third of white dropouts and approximately one-fourth of black dropouts. Within income groups, the white and black dropout rates did not differ significantly. However, Hispanics in middle and low income groups dropped out at a higher rate than whites or blacks.

The proportion of 16–24-year-olds who had dropped out before receiving a high school degree fell from 15% in 1972 to 11% in 1992



- While dropout rates declined for both whites and blacks between 1972 and 1992, the rate of decline was greatest among blacks. The Hispanic dropout rate also tended to decline, although the data are erratic because of the small sample size.
- Dropout rates were consistently higher for Hispanics than for whites and blacks.

Note: White and black race groups do not include youth of Hispanic ethnicity.

Source: National Center for Education Statistics. (1993). *Dropout rates in the United States: 1992.*

Cumulative dropout rates increased as income declined

Percent of 16–24-year-olds who were high school drop outs in 1992:

Family income	Race/ethnicity		
	White	Black	Hispanic
All	8%	14%	29%
Low	19	24	45
Middle	8	10	25
High	2	1	10

Although the largest number of dropouts resided in suburban communities (46%), central cities had the greatest proportion of dropouts in the 16–24-year-old age group (13%).

On-time graduation is an indicator of how well students are progressing in the educational system

In 1991, 69% of young people who should have graduated from high school that year did so. On-time graduation rates varied by school system. Wealthier, suburban school systems had higher percentages of students completing high school on time than did schools in impoverished communities.

However, a student's decision to withdraw from school is not necessarily a permanent decision. Substantial numbers of persons who drop out of school early ultimately earn a high school diploma or obtain an alternative credential. Such actions lessen the consequences of dropping out of school.

For instance, a study of the sophomore class of 1980 revealed that 83% completed high school on time. By 1986 (3 years past their on-time graduation date), the completion rate had increased to 91%. Similarly, another study of students scheduled for graduation in 1992 found that 88% were working towards high school completion or had already completed high school or passed an equivalency test by the spring of 1992. Among the dropouts from this group, more than half reported plans to pursue a general education diploma or to complete regular high school.

Why do juveniles drop out of school?

Four in 10 dropouts said they left high school because they did not like school or because they were failing. Just as many males as females reported they were leaving school because they could not get along with their teachers. More males than females dropped out because of school suspension or expulsion.

While most dropouts reported school-related reasons for leaving school, most female dropouts reported family-related reasons. Twenty-one percent of females and 8% of males dropped out because they became a parent. About 27% of females said they left school because they became pregnant. Twenty-six percent of white female dropouts reported pregnancy as a motive for dropping out, compared with 31% of Hispanic and 34% of black female dropouts. Blacks were far less likely to report getting married as a reason for leaving school (2%) than white (15%) or Hispanic (13%) dropouts.

More than a quarter of those dropping out of grades 10 through 12 reported job-related reasons for withdrawing. Male dropouts were more likely than female dropouts to report finding a job as the motive for leaving school (36% versus 22%).

Among 16–24-year-old Hispanics who spoke English at home, 14% were dropouts in 1992. Rates were substantially higher among those who spoke Spanish at home. Among this group of Hispanics, 30% of those who spoke English well dropped out, compared with 62% of those who spoke English poorly and 83% of those who did not speak English at all.

The dropout rate among 16–24-year-olds who had repeated more than one grade was 41%, compared with 17% of those who repeated only one grade and 9% of those who did not repeat any grades. Dropout rates were highest among those who repeated grades 7, 8, or 9 (34%) rather than those who repeated any grades between kindergarten and 6 (17%) or grades 10, 11, or 12 (19%).

What are the costs of dropping out?

A measure of the Nation's success in education is the proportion of youth completing high school. Possession of a high school diploma (or its equivalent) signifies that an individual should have sufficient knowledge and skills to function productively in society. Dropping out of school indicates that an individual is likely to lack these prerequisites and is at a relative disadvantage.

Advanced skills and technical knowledge will become increasingly important among job seekers during the 21st century. Consequently, the job outlook for high school dropouts is dismal. In 1992 the unemployment rate among those dropping out of school was 11%,

compared with 7% for those who graduated from high school but did not attend college. Among dropouts who were employed full time, the median income was only half that of high school graduates. While the real income (income adjusted for inflation) of college graduates increased over the past 20 years, the real income of dropouts declined dramatically.

Youth who are not in school and not in the labor force are at high risk of delinquency, crime, and diminished success. The percentage of 16–19-year-olds not working or in school declined slightly between 1985 and 1990, from 5.3% to 5.0%. Still, in 1990 more than 680,000 youth were idle during this critical period of their development.

Native Americans and Hispanics had the highest dropout rates in each region of the United States

State	Percent of youth ages 16–19 in 1990 who withdrew from high school without graduating					
	Total	White	Black	Native Amer.	Asian	Hispanic origin
United States	**11%**	**10%**	**14%**	**18%**	**5%**	**22%**
Northeast:	9%	8%	15%	18%	5%	20%
Connecticut	8	8	14	•	4	22
Maine	8	8	•	•	•	•
Massachusetts	8	8	14	•	4	24
New Hampshire	9	9	•	•	•	•
New Jersey	9	8	16	•	4	18
New York	9	8	14	17	5	20
Pennsylvania	9	8	16	22	5	22
Rhode Island	11	10	16	•	12	21
Vermont	8	8	•	•	•	•
Midwest:	9%	8%	15%	21%	5%	20%
Illinois	10	8	15	23	4	24
Indiana	11	11	14	•	4	14
Iowa	7	6	11	•	7	15
Kansas	8	8	13	15	5	18
Michigan	10	9	16	18	4	16
Minnesota	6	6	14	24	5	14
Missouri	11	11	15	24	7	14
Nebraska	7	6	15	•	•	15
N. Dakota	5	4	•	15	•	•
Ohio	9	8	12	20	3	12
S. Dakota	8	6	•	23	•	•
Wisconsin	7	6	16	17	5	16
South:	13%	12%	13%	17%	6%	19%
Alabama	13	13	12	12	4	12
Arkansas	11	12	11	•	•	19
Delaware	10	10	14	•	•	20
Dist. of Columbia	14	5	17	•	•	30
Florida	14	14	15	24	7	18
Georgia	14	14	14	•	10	33
Kentucky	13	13	14	•	3	14
Louisiana	13	11	15	19	5	12
Maryland	11	10	14	•	4	17
Mississippi	12	11	13	•	3	•
N. Carolina	13	13	13	23	8	22
Oklahoma	10	10	12	13	5	19
S. Carolina	12	12	12	•	6	13
Tennessee	14	13	14	•	7	13
Texas	12	12	13	18	6	20
Virginia	10	10	12	15	4	19
West Virginia	11	11	13	•	•	•
West:	13%	11%	13%	18%	6%	24%
Alaska	11	10	6	14	•	17
Arizona	13	13	16	19	6	23
California	11	12	13	17	6	26
Colorado	9	9	10	23	6	19
Hawaii	8	8	•	•	7	11
Idaho	10	9	•	22	•	28
Montana	8	7	•	22	•	•
Nevada	14	14	13	18	10	27
New Mexico	11	11	12	14	•	15
Oregon	11	11	10	25	5	29
Utah	8	8	•	16	7	20
Washington	10	10	13	20	5	28
Wyoming	7	7	•	•	•	13

* Numbers too small to obtain a reliable percentage.

Note: Race proportions include persons of Hispanic origin. Persons of Hispanic origin can be of any race.

Source: Bureau of the Census. (1993). *1990 census of population and housing, summary tape file 3C* [machine-readable data file].

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Chapter 2

Juvenile victims

How often are juveniles the victims of crime? Who are their offenders? How often are firearms involved? How many juveniles are murdered each year? How many commit suicide? What is known about missing and homeless youth? How many children are abused or neglected annually? What are child maltreatment trends? Does abuse lead to later delinquency?

Much of juvenile victimization is hidden from public view — crimes are not reported, offenders are not arrested, and abusers are not identified. This chapter presents what is known about the prevalence and incidence of juvenile victimization. Data sources include the Bureau of Justice Statistics' National Crime Victimization Survey and the Federal Bureau of Investigation's Supplementary Homicide Reporting Program and its National Incident-Based Reporting System. Child maltreatment information is drawn from data collected by the National Center on Child Abuse and Neglect and the Administration for Children and Families. Data from the Office of Juvenile Justice and Delinquency Prevention's National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children are presented, as well as suicide information from the National Center for Health Statistics.

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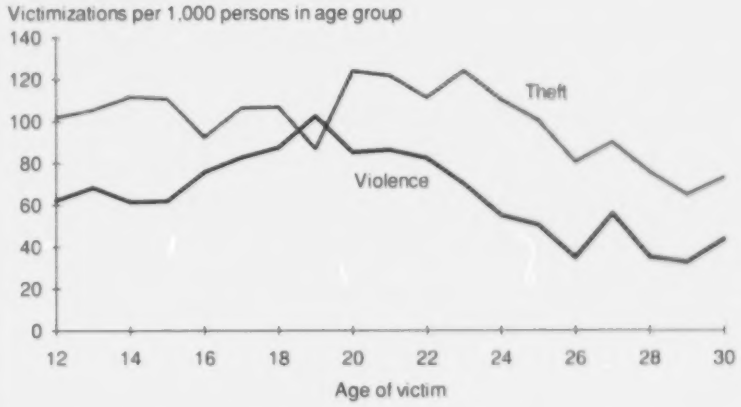
Any juvenile between ages 12 and 17 is more likely to be the victim of violent crime than are persons past their midtwenties

The risk of violent victimization in 1991 was greater for a 12-year-old than for anyone age 24 or older



- The risk of violent victimization for a 29-year-old in 1991 was less than one-half of that faced by a 17-year-old.
- The risk of violent crime varies substantially within the juvenile age groups. The risk of violent crime for a 17-year-old was 33% greater than the risk for a 12-year-old.
- The risk of being a victim of personal theft (i.e., larceny with and without contact) in 1991 was greater for a 12-year-old than for anyone age 26 or older.

Source: BJS. (1993). *National crime victimization survey, 1991* [machine-readable data file].

Juveniles and young adults have the greatest risk of victimization

Victimization rates vary substantially across age groups. Senior citizens have much lower victimization rates than persons ages 18–24. In fact, these young adults have the highest rates within the adult population. The victimization rate for juveniles is roughly the same as that of young adults and substantially above the rates for persons over age 24. This is true for both crimes of violence and crimes of theft.

Juvenile victims are likely to know their offender

Most offenders who victimize juveniles are family members, friends, or acquaintances. In 1991 only 22% of personal crimes against juveniles were committed by strangers. Adults were much more likely to be victimized by strangers (42%). The juvenile and adult proportions of stranger crimes in

In 1991 juveniles ages 12–17 were as likely to be the victims of rape, robbery, and simple assault as were adults ages 18–24; aggravated assault was the only violent crime for which young adults had a statistically higher victimization rate

	Victimizations per 1,000 persons in age group							
		Juveniles			Adults			
Crime type	All Ages	Total	12–14	15–17	Total	18–24	25–34	35+
Personal crime	98	172	166	179	89	193	114	57
Crimes of violence	32	71	65	78	28	81	37	14
Rape	1	2	1	3	<1	2	1	<1
Robbery	6	10	11	10	5	12	8	3
Aggravated assault	8	15	14	17	7	24	9	3
Simple assault	18	44	40	48	15	42	19	7
Crimes of theft	65	101	102	101	61	112	77	43
Personal larceny with contact	3	3	2	3	3	4	3	2
Personal larceny without contact	62	98	100	97	58	109	74	41

Note: Detail may not add to totals because of rounding.

Source: BJS. (1993). *National crime victimization survey, 1991* [machine-readable data file].

1991 were more similar for rape and robbery than for aggravated assault and simple assault.

	Percent stranger crime	
	Juvenile	Adult
Personal crimes*	22%	42%
Rape	33	39
Robbery	44	51
Aggravated assault	20	38
Simple assault	15	38

* Includes crimes of theft.

A gun was used in 1 in 4 serious violent offenses against juveniles in 1991

The offender was armed in 67% of serious violent crimes (i.e., crimes of violence excluding simple assault) involving juvenile victims. In 19% of serious violent incidents the offender had a handgun, in 6% a gun other than a handgun, in 18% a knife, and in 25% a blunt object was used.

The level of weapon use against juveniles is only slightly less than against adults. Compared with adult victimizations, offenders in serious violent incidents against juveniles were less likely to be armed (67% compared with 72% for adults) and, when armed, less likely to use a handgun (19% compared with 24% for adults).

Juveniles suffer fewer and less serious injuries than adults

The proportion of serious violent incidents that resulted in injury was the same for juveniles (35%) as for adults (36%) in 1991. Adult victims of serious violent crime, however, were twice as likely as juvenile victims to be injured seriously (14% versus 7%). Injuries requiring hospital stays of at least 2 days were also more common for adult (3%) than for juvenile victims (fewer than 1%).

Much of what is known about the victimization of juveniles comes from NCVS

The Bureau of Justice Statistics (BJS) conducts the National Crime Victimization Survey (NCVS). With funds from BJS, the Bureau of the Census contacts a large nationally representative sample of households and asks their occupants to describe the personal crimes they have experienced. Personal crimes are broken into two general categories: crimes of violence and crimes of theft.

Personal crimes of violence include rape, personal robbery, and aggravated and simple assault. These crimes always involve contact between victim and offender. For this report, serious violent crime includes all crimes of violence except simple assault. Personal crimes of theft include larcenies (theft without force or threat of force) with and without victim-offender contact.

With all its strengths, NCVS has limitations in describing the extent of juvenile victimizations. NCVS does not capture information from, or about, victims below age 12. Designers of the survey believe that younger respondents are not able to provide the information requested. Therefore, juvenile victimizations reported by NCVS cover only those that involve older juveniles. In addition, as with any self-report survey, NCVS has limited ability to address the sensitive issues of intrafamily violence and child abuse.

Some official data sources (such as law enforcement and child protective service agencies) can provide a partial picture of crime against juveniles. However, they are limited to those incidents made known to them.

More than 1 in 5 violent crime victims in 1991 was a juvenile age 12–17

	Proportion of victims who were:			
		Juveniles		
Crime type	Total	12–14	15–17	Adults
Personal crime	18%	9%	9%	82%
Crimes of violence	22%	10%	12%	78%
Rape	18	3	15	82
Robbery	18	9	8	82
Aggravated assault	20	9	11	80
Simple assault	24	11	13	76
Crimes of theft	16	8	8	84
Personal larceny with contact	11	4	7	89
Personal larceny without contact	16	8	8	84

Source: BJS. (1993). *National crime victimization survey, 1991* [machine-readable data file].

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Compared with other juveniles, black youth are more likely to be the victim of a violent crime

Race/ethnicity of victim	Violent victimizations per 1,000 population Ages 12–17	Ages 18–24
Total	71	82
White (not Hispanic)	69	84
White Hispanic	69	56
Black	84	99
Other	42	66

In 1991 black juveniles and young black adults had the highest violent victimization rates. Black juveniles had a violent victimization rate 20% higher than that of white juveniles. Among both blacks and non-Hispanic whites, young adults had a greater risk of violent victimization than did juveniles, while the reverse was true for white Hispanics.

Whites were more likely than Hispanics or blacks to be the victim of a personal theft in 1991

Race/ethnicity of victim	Personal theft victimizations per 1,000 population Ages 12–17	Ages 18–24
Total	101	110
White (not Hispanic)	109	122
White Hispanic	74	84
Black	87	77
Other	76	93

White juveniles were 25% more likely to be the victim of a personal theft than were black juveniles in 1991. In contrast, while white and Hispanic young adults were about 10% more likely to be a victim of a personal theft than were same race juveniles, black juveniles were at greater risk than young black adults.

When cash or property was taken from a juvenile victim in 1991, most lost less than $25

In 1991, 56% of crimes involving personal theft from a juvenile resulted in losses of $25 or less., Twenty-seven percent involved losses of more than $50. The losses of adult victims were somewhat greater. Among adults, 36% of personal thefts involved the loss of $25 or less and 50% involved losses of more than $50.

Personal crimes with juvenile victims occurred most often in school or on school property

In 1991 approximately 56% of juvenile victimizations happened in school or on school property. There is no comparable place where crimes against adults were so concentrated. Much of this concentration for juveniles was due to personal theft. Seventy-two percent of personal thefts involving juvenile victims occurred in school.

Twenty-three percent of violent juvenile victimizations occurred in school or on school property in 1991. For juveniles, violent crimes were about as likely to occur at home (25%) as they were in school. A somewhat larger proportion of the violent crimes reported by juvenile victims occurred on the street (33%). A larger proportion (35%) of violent crimes involving adult victims happened in the home.

Few juvenile victimizations are reported to law enforcement

Only 20% of juvenile personal victimizations were brought to the attention of police in 1991. In contrast, 37% of adult personal victimizations were reported to police. When asked why the event was not reported to police, 35% of these juvenile victims said that they reported the incident to some other authority, primarily school officials. If the percentage of juvenile victimizations reported to police is combined with those not reported to police but reported to school officials, approximately 48% of juvenile personal victimizations were reported to an authority in 1991.

Juveniles reported that police responded to approximately 64% of the personal crimes brought to their attention. This is essentially the same rate at which police appeared for events reported to them by adult victims.

For personal crimes involving juvenile victims that resulted in a police response, the victim reported that the police arrived within 10 minutes of notification in 48% of the incidents. In 82% of the incidents, police arrived within an hour.

Response times were similar for adults. Police arrived within 10 minutes in 43% of the incidents and within an hour in 82% of the incidents.

A juvenile's risk of becoming a victim of a nonfatal violent crime increased between 1987 and 1991

NCVS monitors changes in nonfatal violent victimizations

The National Crime Victimization Survey asks respondents to report on crimes in which they were the victim, which obviously excludes fatal incidents. Nonfatal violent victimizations include rape, robbery, and aggravated and simple assault.

The risk of violent victimization has increased for juveniles and young adults in recent years

Between 1987 and 1991 the risk that a person between the ages of 12 and 17 would become a victim of a nonfatal violent crime increased 17%. Over this period the risk of violence increased from 61 to 71 violent victimizations per 1,000 juveniles. During the same period the risk of violence for those ages 18–24 increased 24% from 66 to 81 per 1,000. The risk of violent victimizations for age groups above age 24 declined with age, and the risks that they would become the victim of a nonfatal violent crime did not increase between 1987 and 1991.

During the same period the risk of personal theft for juveniles decreased from 114 to 101 per 1,000, although this decrease was not significant statistically.

Recent changes in juvenile victimization rates varied by race and ethnic group

Changes in a juvenile's risk of violent crime differed by race and ethnicity. The rate of violent victimization for non-Hispanic whites increased 21% between 1987 and 1991, from 57 to 69 per 1,000. During the same period, the violent victimization rate for blacks remained constant. Black juveniles had a violent victimization rate of 84 per 1,000 in 1991. The victimization rate for white-Hispanic juveniles increased more than 40% to a level equal to that of whites, but due to their small numbers in the NCVS sample, this difference was not statistically significant.

The increase in risk of violent victimization for young adults (ages 18 to 24) was greater for blacks than for whites from 1987 to 1991. Violent victimizations among non-Hispanic whites increased 25% (from 67 to 84 per 1,000) and among blacks 48% (from 67 to 99 per 1,000).

The nature of nonfatal violence against juveniles did not change much between 1987 and 1991

In the case of serious violence (rape, robbery, and aggravated assault) no statistically significant changes occurred in the nature of juvenile victimizations. The proportion involving serious injury declined from 11% to 7% but this difference was not statistically significant. The percent of serious violent incidents resulting in injury remained essentially the same (37% in 1987 and 35% in 1991) as did the proportion resulting in hospital stays. The proportion of serious violent incidents in which weapons were used also remained essentially the same from 1987 (66%) to 1991 (67%).

Between 1987 and 1991 no statistically significant changes were found in the places where serious violence occurred, in the reporting of these events to the police, or in the characteristics of juvenile victims.

The increased risk of violent victimization from 1987 to 1991 among juveniles ages 12–17 stems largely from an increase in simple assault rates

	1987	1988	1989	1990	1991
Population ages 12–17 (in millions)	20,756	20,346	20,049	20,102	20,370
Total violent victimizations	1,258,000	1,245,000	1,294,000	1,328,000	1,448,000
Victimizations per 1,000 population:					
Crimes of Violence*	61	61	65	66	71
Robbery	8	9	10	11	10
Aggravated assault	15	16	14	16	15
Simple assault	36	36	39	37	44

* Includes data on rape not displayed as a separate category.

Source: Moone, J. (1994). Juvenile victimizations: 1987–1992. *OJJDP Fact Sheet.*

Recent large increases in the homicide rates of black and older juveniles are the result of increases in firearm homicides

Fatal injuries to youth have decreased, while homicides rise

According to the National Center for Health Statistics, injury was the leading cause of death for youth below age 20 in 1991. Homicide was second only to motor vehicle accidents as the leading cause of fatal injuries. Two in 5 injury deaths of these youth in 1991 were the result of motor vehicle collisions. More than 1 in 5 injury deaths resulted from homicide. Between 1986 and 1991, while the number of youth dying in motor vehicle accidents declined 20%, homicide deaths rose substantially.

On a typical day in 1992, seven juveniles were murdered

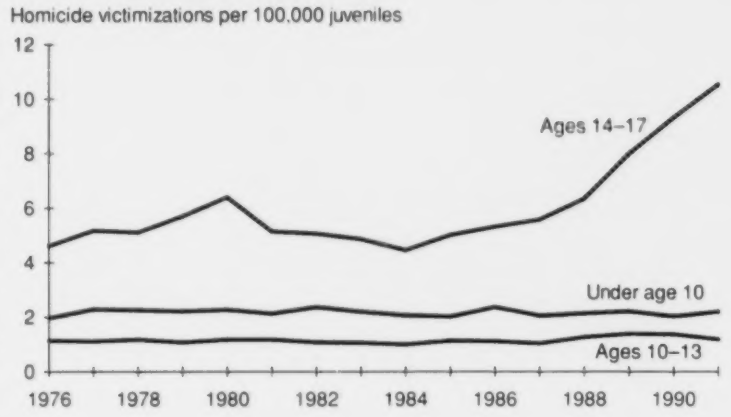
An FBI Supplementary Homicide Report form is completed on all homicides known to police. Data are collected on victim and offender demographics, the victim-offender relationship, the weapon, and circumstances surrounding the homicide.

From 1985 through 1992 nearly 17,000 persons under age 18 were murdered in the U.S. In 1992, 2,595 juveniles were murdered, an average of 7 per day.

Year	Number of juvenile homicides
1985	1,605
1986	1,753
1987	1,738
1988	1,955
1989	2,184
1990	2,339
1991	2,610
1992	2,595

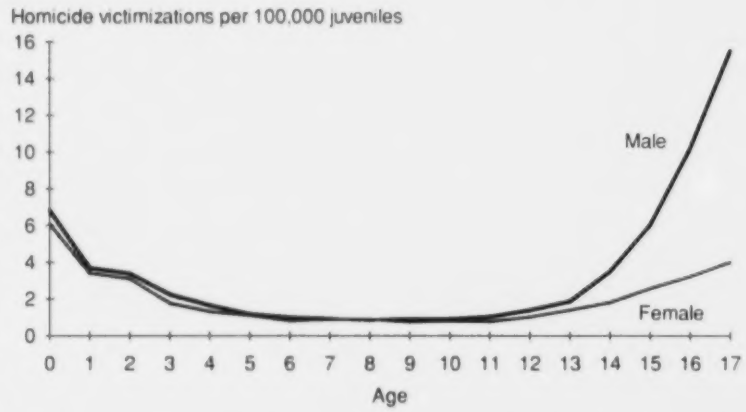
Source: FBI. (1986–1993). *Crime in the United States* series

The homicide victimization rate for juveniles ages 14–17 has nearly doubled since the mid-1980's, while the rates for younger juveniles have remained relatively constant



Source: FBI. (1993). *Supplementary homicide reports 1976–1991* [machine-readable data files].

Until they become teens, boys and girls are equally likely to be murdered



- The rate of homicide victimization is higher for children age 5 and younger than for those between ages 6 and 11. After age 11 the homicide victimization rate increases throughout adolescence, especially for boys.

Note: Rates are based on the 1976–1991 combined average.

Source: FBI (1993). *Supplementary homicide reports 1976–1991* [machine-readable data files].

Juvenile homicides have increased most in large cities

The growth in juvenile homicide has been most pronounced in larger cities, those more than one-quarter million in population. Although the rate of juvenile homicides has increased in the U.S. in recent years, growth has been smallest in the South.

Homicide victimization rates have increased for males and females

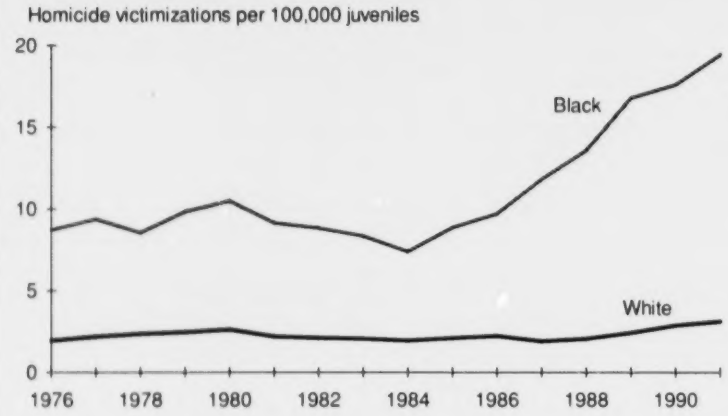
Sixty-five percent of juvenile homicide victims between 1976 and 1991 were male. The risk of being murdered has increased since the mid-1980's for both boys and girls. However, the increase has been greater for males. As a result, the male proportion of juvenile homicide victims has increased. In 1985, 64% of juvenile homicide victims were males; in 1991 this proportion had increased to 72%.

Black males ages 14–17 are more likely than other juveniles to be homicide victims

Slightly more than half of the juveniles killed between 1976 and 1991 were white. In terms of rate per 100,000 persons, however, black juveniles were 4 times more likely than white juveniles to be homicide victims. As a result, young black males have the highest homicide victimization rate of any race/sex group. The rate for black males was twice that of black females, 5 times that of white males, and 8 times that of white females.

Race and sex differences in homicide victimization rates were even more pronounced among older juveniles. Among juveniles ages 14 to 17, blacks were 5 times more likely to be murdered than whites. Similarly, older boys were 3 times more likely to be killed than older girls.

The homicide victimization rate among black juveniles has increased substantially in recent years



Source: FBI. (1993). *Supplementary homicide reports 1976–1991* [machine-readable data files].

These race and sex differences in homicide victimization rates have increased in recent years, especially among older juveniles. In 1984 among juveniles ages 14 to 17, the homicide victimization rate for black males was 3 times that of black females, 5 times that of white males, and 9 times that of white females. By 1991 among these older juveniles, the homicide victimization rate for black males was 7 times that of black females, 8 times that of white males, and 29 times that of white females.

Most juvenile victims know their attacker, usually well

In 22% of homicides involving a juvenile victim between 1976 and 1991, information about the offender is unknown because the case is unsolved. For cases in which the offender was known, 24% percent of juvenile victims were murdered by other juveniles. Most juveniles (76%) were killed by adults; 52% were killed by persons ages 18 to 29.

Most juvenile homicides involved victims and offenders of the same race. Ninety-two percent of the black juvenile victims were killed by blacks, and 93% of the white juvenile victims were killed by whites.

Forty percent of juvenile homicide victims were killed by family members, most of them by parents. Of these parent-killing-child cases, slightly more than half of the boys (53%) were killed by their fathers, and slightly more than half of the girls (51%) were murdered by their mothers.

Forty-five percent of juvenile homicide victims were murdered by friends, neighbors, or acquaintances. These incidents generally involved boys being killed by males (66%).

Fourteen percent of juvenile homicide victims were killed by strangers. In murders by strangers, one-third occurred during the commission of another felony, such as rape or robbery.

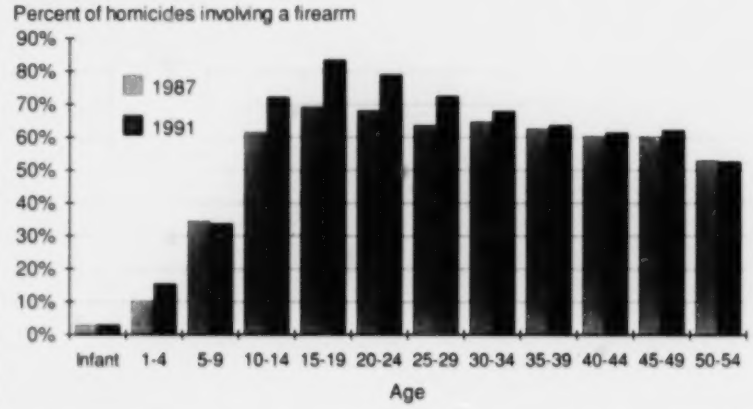
Young children are often killed by parents, older juveniles by their peers

Children were more likely than were older juveniles to be killed by their parents. Fifty-nine percent of homicide victims under age 10 were killed by parents (more often the father). Fists or feet were the most common weapons in such killings (45%). Eighteen percent of these younger children were killed with a firearm. These younger homicide victims were slightly more likely to be male (54%).

A Bureau of Justice Statistics study of murder cases disposed in 1988 found that 4 in 5 children under age 12 murdered by their parents had been previously abused by the parent who killed them.

Homicide victims ages 10 to 17 were more often killed by a friend or other acquaintance (61%) rather than by a family member (16%). More than 70% of these homicide victims were shot to death. The large majority of juvenile homicide victims in this age range were male (73%).

Homicides of youth ages 15–19 are most likely to involve a gun



Sources: FBI. (1988). *Crime in the United States 1987.* (1992). *Crime in the United States 1991.*

More than half of juvenile homicide victims are killed with a firearm

In 1991 approximately 57% of all juvenile homicide victims were killed with a firearm, 8% were killed with a cutting or stabbing instrument, and 17% were killed with personal weapons such as fists or feet. Overall, homicide victims under age 18 were less likely than were adult homicide victims to be killed with a firearm and more likely than were adult victims to be killed with personal weapons. Older teens (ages 15 to 19) were more likely than was any other age group to be killed with a gun, while the murderers of young children rarely used a gun.

The firearm homicide rate increased while the nonfirearm homicide rate declined

The firearm homicide death rate for teens ages 15 to 19 increased 61% between 1979 and 1989, from 6.9 to 11.1 deaths per 100,000. During the same period, the nonfirearm homicide rate decreased 29%, from 3.4 to 2.4. Thus, the observed increase in the homicide rate for older teenagers was driven solely by the increase in firearm homicides.

Homicides involving firearms have been the leading cause of death for black males ages 15 to 19 since 1969. In 1979 there were fewer than 40 such deaths per 100,000 black males that age in the population — by 1989 the figure had increased to more than 85. In 1989 the firearm homicide death rate among black males ages 15 to 19 in metropolitan counties was 6.5 times the rate in nonmetropolitan counties.

For every two youth (ages 0–19) murdered in 1991, one youth committed suicide

7% of all suicides in 1991 involved youth age 19 or younger

The National Center for Health Statistics reported that 30,810 persons committed suicide in the United States in 1991. More than half of the persons who committed suicide in 1991 were age 40 or older.

Age group	Proportion of all suicides
All ages	100%
0-9	0
10-19	7
20-29	19
30-39	21
40-49	16
50-59	11
60-69	10
70-79	9
80 and older	6

Note: Detail may not total 100% because of rounding.

Source: National Center for Health Statistics (1993). *Death rates for selected causes, by 5-year age groups* [unpublished data].

Suicides increased between 1979 and 1991 most for the very old and juveniles ages 10–14

Age groups	1979	1991	Percent change
Total	27,206	30,810	13%
0–9	1	1	0
10–14	151	265	76
15–19	1,789	1,900	6
20–24	3,461	2,854	-18
25–29	3,273	3,089	-6
30–34	2,588	3,430	33
35–39	2,096	3,091	47
40–44	1,782	2,680	50
45–49	1,794	2,207	23
50–54	1,997	1,778	-11
55–59	1,889	1,614	-15
60–64	1,681	1,629	-3
65–69	1,533	1,573	3
70–74	1,199	1,513	26
75–79	987	1,396	41
80 & older	985	1,789	82

Source: National Center for Health Statistics. (1993). *Death rates for selected causes, by 5-year age groups* [unpublished data].

Young suicides are disproportionately male and white

Using FBI data, in 1991 about 4,400 youth below age 20 were murdered in the U.S. The magnitude of this problem has captured the public's attention. However, much less attention has been given to the fact that for every two youth murdered, one youth commits suicide.

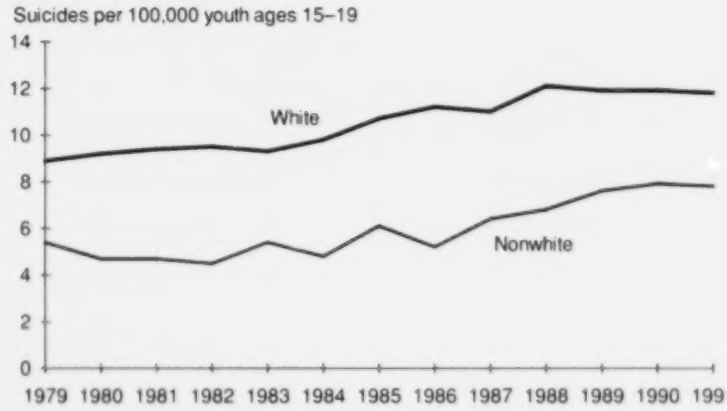
In 1991, 2,165 persons below age 20 committed suicide. Eighty-three percent of these persons were male, 88% were between ages 15 and 19, and 86% were white.

	Number of suicides		Suicides per 100,000 youth	
	10–14	15–19	10–14	15–19
Total	265	1,900	1.5	11.0
Male	207	1,589	2.3	18.0
Female	58	311	0.7	3.7
White	228	1,629	1.6	11.8
Male	175	1,352	2.4	19.1
Female	53	277	0.8	4.2
Nonwhite	37	271	1.0	7.8
Male	32	237	1.8	13.5
Female	5	34	*	2.0

* Too few cases to obtain a reliable rate.

Source: National Center for Health Statistics. (1993). *Death rates for selected causes, by 5-year age groups* [unpublished data].

Suicide rates increased between 1979 and 1991 for both white and nonwhite youth ages 15–19



Sources: National Center for Health Statistics. (1993). *Death rates for selected causes, by 5-year age groups* [unpublished data].

Children below age 12 are the victims in 1 in 4 violent juvenile victimizations reported to law enforcement

FBI's NIBRS can shed light on crimes against children

As noted in previous sections, the primary source of information on crimes committed against juveniles is the National Crime Victimization Survey. NCVS, however, limits its interviews to persons ages 12 and above. Therefore, NCVS does not capture information on crimes against younger children.

The FBI's new National Incident-Based Reporting System (NIBRS) may fill part of this critical information gap. NIBRS captures detailed information on each incident reported to a law enforcement agency. Agencies report to the FBI victim, offender, and arrestee demographics, as well as information on the offense(s), the victim-offender relationship(s), each victim's level of injury, and the use of weapons.

This section describes the nature of violent juvenile victimization as captured by NIBRS in South Carolina. Although these data may not be nationally representative, and describe only those incidents reported to law enforcement agencies, NIBRS data enable a close look at more than 196,000 incidents of murder, violent sex offenses, robbery, and aggravated and simple assault reported to law enforcement agencies in South Carolina from 1991 to mid-1993.

As NIBRS expands to collect information from more States, it can help to shed light on this relatively unknown component of crime in the U.S.

Children below age 12 were the victims in 28% of violent sex offense incidents reported to law enforcement agencies in South Carolina

Victim's age	Offense					
	All violent offenses	Murder	Violent sex offense	Robbery	Aggravated assault	Simple assault
5 & younger	1%	3%	12%	<1%	1	1%
6–11	3	<1	16	1	3	3
12–17	12	5	27	7	12	12
18–24	26	24	18	23	26	28
25–54	53	56	26	59	55	54
55 & older	3	11	1	11	3	3
Total	100%	100%	100%	100%	100%	100%
11 & younger	5%	4%	28%	1%	4%	4%
17 & younger	17	9	55	7	16	16
18 & older	83	91	45	93	84	84

- The South Carolina NIBRS data indicate that juveniles were victims in more than half (55%) of all violent sex offenses — a figure that is consistent with the finding of a recent Bureau of Justice Statistics report that found that 51% of rape victims in a 12-State sample were juveniles.
- Children below age 12 were rarely the victim in robbery incidents. They were, however, about 4% of murder and assault victims reported to law enforcement agencies.
- If South Carolina NIBRS data are representative of the actual ratio of younger-to-older juvenile victimizations, then NCVS is missing 51% of juvenile violent sex offenses, 9% of juvenile robberies, 26% of juvenile aggravated assaults, and 22% of juvenile simple assaults.

Note: Detail may not total 100% because of rounding.

Source: Snyder, H. (1994). *The criminal victimization of young children.*

Children below age 12 were victimized in roughly 600,000 violent incidents in 1992

According to NIBRS data, in South Carolina between 1991 and 1993, juveniles (persons below age 18) were victims in 17% of violent incidents reported to law enforcement agencies. Juveniles ages 12–17 were victims in 72% of these violent victimizations of persons under age 18.

In 1992 NCVS reported 1,552,000 violent crime victimizations of persons ages 12–17. If the NIBRS proportion is representative — that is, the NCVS figure represents 72% of all juvenile victimizations — then roughly 600,000 violent victimizations of children below age 12 occurred in 1992.

The profile of crimes against children differs from those involving older juveniles

Nearly 1 in 3 victims below age 12 who came to the attention of law enforcement was alleged to be the victim of a violent sexual offense, compared with 1 in 8 older juvenile victims (persons ages 12–17). This discrepancy was even more pronounced in the offense profile of

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young children (those below age 6). When violent crimes against young children were referred to law enforcement, nearly 1 in 2 was a violent sex offense.

For both children and older juveniles, about 1 in 4 violent victimizations was an aggravated assault. Compared with older juveniles, child victims were involved in smaller proportions of robberies and simple assaults.

Child victims are as likely as older juvenile victims to be male

Half of juvenile victims were male. However, child victims of a violent sex crime were more likely to be male than were older juvenile victims. Thirty-two percent of victims of a violent sex offense who were below age 6 were males, compared with 20% of those ages 6–11, and 9% of those ages 12–17.

Adults are the offenders in most violent crimes against children

In nearly 6 in 10 violent victimizations of children and older juveniles, the offender was an adult (age 18 or older). The offender was most likely to be an adult when the victim was a very young child. The offender was an adult in 74% of violent victimizations against children younger than age 6, in 48% of violent victimizations against children ages 6–11, and in 58% of violent victimizations against older juveniles.

Child victims of violent crime are more likely than older juvenile victims to be victimized by a family member

Offender type	Victim's age						
	All ages	5 & younger	6–11	12–17	11 & younger	17 & younger	18 & older
Family member	27%	50%	26%	17%	33%	22%	29%
Acquaintance	53	41	59	64	54	61	51
Stranger	20	9	15	18	13	17	20
Total	100%	100%	100%	100%	100%	100%	100%

- Child victims below age 6 were the least likely to be victimized by strangers and most likely to be victimized by a family member. Half of these young children were victimized by a family member, while fewer than 1 in 10 were victimized by a stranger.
- The probability that the offender was a family member declined substantially for older juveniles, as the proportion of victimizations by acquaintances and strangers increased. The proportion of stranger victimizations for older juveniles was twice that of young children.

Source: Snyder, H. (1994). *The criminal victimization of young children.*

Children were less likely than older juveniles to be victimized with a firearm

Firearms were more common in the violent victimizations of adults than of juveniles. Firearms were involved in 13% of violent victimizations of adults and in 8% of victimizations of juveniles. Children, who are less of a physical threat to an offender, were the least likely to be victimized with a firearm. Firearms were present in about 4% of violent victimizations of persons below age 12 and in 9% of those involving victims ages 12–17.

About 4 in 10 juvenile victims of violent crime needed medical attention

Forty-four percent of juvenile victims of violent crimes reported to law enforcement agencies in South Carolina received an injury that required medical attention. Juveniles were less likely to be injured than were adults, and children were less likely than were older juveniles to be injured. Adults were injured in 51% of their violent victimizations, older juveniles in 45%, and children younger than age 12 in 39% of their violent victimizations referred to police.

Injury was least likely to occur when the offender was a stranger. For children injury occurred in a greater proportion of crimes committed by family members than by other offenders. Children (persons below age 12) were injured in 42% of crimes committed by family members, in 38% of crimes committed by acquaintances, and in 35% of crimes committed by strangers. For older juveniles, injury was equally as likely if the offender was a family member (43%), an acquaintance (46%), or a stranger (43%).

Young children are at most risk of violent victimization at dinner time — older juveniles, at the end of the school day

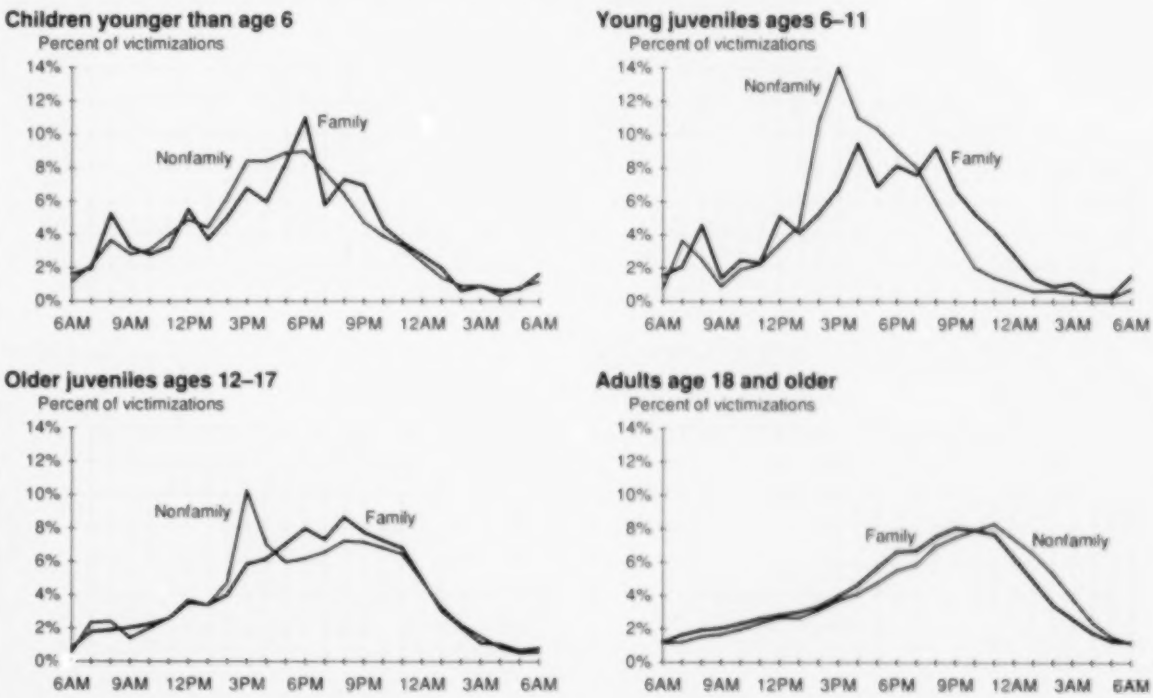
The risk of violent victimization varies with the time of day

NIBRS data from South Carolina for the years 1991 to 1993 were used to develop a 24-hour profile of the risk of violent victimization for different age groups, based on crimes reported to law enforcement agencies. For adults the risk of violent victimization (murder, violent sex offense, robbery, and aggravated and simple assault) increased continuously from 6 a.m. to just before midnight, then declined to a low point at 6 a.m.

Juvenile patterns are quite different. For juveniles ages 12–17, the peak was 3 p.m., the end of the school day. For older juveniles the risk remained relatively constant between 4 p.m. and midnight, before declining, while the risk for juveniles ages 6–11 declined continuously after the 3 p.m. peak.

For children younger than age 6, the risk increased throughout the day, with the highest risk at 6 p.m. (dinner) and relative peaks at 8 a.m. (breakfast), noon (lunch), and 3 p.m. (after school). After 6 p.m. the risk to these young children declined continuously until the early morning hours.

A juvenile's risk of violent victimization varies with the time of day and the type of offender



- Juveniles ages 6 to 17 were at greatest risk of violent victimization by nonfamily members (acquaintances or strangers) at 3 p.m. (the end of the school day). For those ages 6 to 11, this risk declined sharply after 3 p.m., while the risk remained relatively high for older juveniles until 11 p.m.
- For children younger than age 6, nonfamily victimizations were most common between 2 p.m. and 7 p.m., declining substantially thereafter. The pattern of victimizations by family members was roughly similar, with the major exceptions of sharp peaks around the traditional meal times of 8 a.m., noon, and 6 p.m.

Source: Snyder, H. (1994) *The criminal victimization of young children.*

Caretakers know the whereabouts of many "missing" children — the problem is recovering them

Some categories of "missing" children are more numerous than others

The term "missing children" has been used for many years to describe very different kinds of events, making it difficult to estimate the magnitude of these phenomena or to formulate appropriate public responses. A 1988 national incidence study sought to measure the "missing child problem" by examining several distinct problems.

Broadly defined:	Defined as serious:
Parental/family abduction	
354,100 children per year	*163,200 children per year*
A family member took a child or failed to return a child at the end of an agreed-upon visit in violation of a custody agreement/decree with the child away at least overnight.	A family member took the child out of State or attempted to conceal/ prevent contact with the child, or abductor intended to keep child or permanently change custodial privileges.
Stranger/nonfamily abduction	
3,200–4,600 children per year	*200–300 children per year*
Coerced and unauthorized *taking* of a child, or *detention*, or *luring* for purposes of committing another crime.	A nonfamily abduction where the abductor was a stranger and the child was gone overnight, or taken 50 miles or more, or ransomed, or killed, or the perpetrator showed intent to keep the child permanently.
Runaway	
450,700 children per year	*133,500 children per year*
A child who left home without permission and stayed away at least overnight or who was already away and refused to return home.	A runaway who during a runaway episode was without a secure and familiar place to stay.
Thrownaway	
127,100 children per year	*59,200 children per year*
A child who was told to leave home, or whose caretaker refused to let come home when away, or whose caretaker made no effort to recover when the child ran away, or who was abandoned.	A thrownaway who during some part of the episode was without a secure and familiar place to stay.
Otherwise missing	
438,200 children per year	*139,100 children per year*
Children missing for varying periods depending on age, disability, and whether the absence was due to injury.	An otherwise missing case where police were called.

Source: Adapted from Finkelhor, D., Hotaling, G., and Sedlack, A. (1990). *Missing, abducted, runaway, and thrownaway children in America. First report: Numbers and characteristics, national incidence studies.*

Who are runaways and what happens when they are away?

In the 1988 national incidence study, parents or guardians of runaways who were gone overnight provided information about their youngsters and their experiences while gone.

Most runaways were teenage girls (58%); most were 16 or 17 years old (68%). Most came from families that were or had been broken; only 28% lived with both (natural or adoptive) parents.

Most runaways initially stayed with someone they knew (66%) or did so at some time during the episode (94%). Some had spent time in unfamiliar or dangerous situations, with 29% having spent at least part of the episode without a familiar and secure place to stay, and 11% having spent at least one night without a place to sleep. Many runaways returned home within a day or two, but about half (52%) were gone for 3 days or more and 25% were gone for a week or more. For about half of the runaways, their whereabouts were known to their caretaker more than half of the time they were away from home.

Many runaways had run away before, with 34% having run away at least once before in the past 12 months. Some traveled a long distance; approximately 16% went more than 50 miles from home during the episode, and about 10% went more than 100 miles.

Who are thrownaways, and what happens when they are away?

About half of thrownaway children were runaways whose parents or guardians made no effort to recover them, and about half were directly forced to leave home. Parents of

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thrownaway children reported that most (84%) were 16 years old or older. The vast majority stayed with friends at least part of the time while they were away (88%), although 13% spent at least one night without a place to sleep. A majority (68%) returned home within 2 weeks. For about three-quarters of thrownaway children, caretakers knew of their whereabouts more than half of the time they were away from home.

Who are abducted children, and what happens when they are taken?

Parents of children abducted by a family member reported that most of these were young: 33% were 2 to 5 years old, and 28% were 6 to 9 years old. Most were returned within a week: 62% were returned in 6 days or less, and 28% were returned in 24 hours or less. For just over half of children abducted by a family member, their caretaker knew their whereabouts more than half of the time they were away from home.

Many family abductions appeared to fall into the "serious" category. The abducting parent:

- Prevented the child from contacting the caretaking parent (41%).
- Concealed the child (33%).
- Threatened or demanded something of the caretaking parent (17%).
- Took the child out of State (9%).

Nonfamily abductions were studied in the records of a national sample of police departments. In these cases, three-quarters of the children were teenage girls, and half were 12 years old or older. Most of the victims were not missing for long. Most were gone for less than 1 day; an estimated 12%–21% were gone for less than 1 hour. Nearly all of the victims were forcibly moved during the episode. Most were taken from the street; 85% of the cases involved force (75% with a weapon). Compared with the 200–300 nonfamily abductions that fell into the "serious" category (stereotypical kidnappings), researchers estimated that there were about 100 stranger-abduction homicides.

Who are other missing children, and what happens when they are missing?

Most lost or otherwise missing children tended to fall into one of two age groups: 4 years old or younger (47%) or 16 to 17 years old (34%). Of those incidences where the reason was known, most (57%) were missing for "benign" reasons (such as the child's forgetting the time or misunderstandings between parents and children about when the latter would return or where they would be). The next largest group (28%) involved children who had been injured while they were away from home. Nearly all of these children had returned within 24 hours.

Some runaways are more likely to be harmed than others

A national study of law enforcement policies and practices regarding missing children and homeless youth examined the characteristics of runaways whose caretakers had reported to police that their children were missing. The study also examined the characteristics of runaway episodes that were associated with being victimized by sexual or nonsexual assault, theft, or sexual exploitation while gone:

- Children 12 or younger and white youth were more likely than teenagers and black youth to be victimized in some way.
- Traveling 10 to 50 miles from home, having no secure place to stay, and having a history of six or more previous runaway incidents were all associated with some form of victimization.
- The length of time a youth was gone was not associated with victimization or sexual exploitation when the other factors were taken into account.

Who are homeless youth?

An estimated 100,000–500,000 youth may be homeless for some period in a year. Homeless youth were defined in a 1991 study as "adolescents living on the streets with no supervision, nurturance, or regular assistance from a parent or responsible adult." Many more youth are homeless with their families.

Some homeless youth are runaways or thrownaways. Some, after years in foster care and other placements, have gotten too old to be cared for by the child welfare system or have proven to be such "difficult cases" that they were given early emancipation, *de facto* or by the court.

Some homeless youth are undocumented immigrants, living in the U.S. to earn money to send to their families. Some were separated from their families when the family became homeless and could no longer care for them or when the adolescent child was denied admission to a shelter.

Community agencies and institutions identify about 1.4 million children a year who they suspect may be abused or neglected

Child maltreatment by a caretaker can take many forms

Child maltreatment is a general term that includes physical, sexual, and emotional abuse, and physical, emotional, and educational neglect (see box). Child maltreatment occurs when a caretaker (a parent or a parent substitute, such as a daycare provider) is responsible for, or permits, the abuse or neglect of a child. The maltreatment can result in actual physical or emotional harm, or it can place the child in danger of physical or emotional harm. Some forms of child maltreatment, such as physical or sexual abuse, may result in the caretaker being referred to the criminal justice system and processed as a criminal offender.

Estimating the extent of child abuse and neglect is difficult

The number of children either identified by or reported to community agencies or institutions is an undercount of the actual number of abused or neglected children. Many young children lack the verbal skills to report the incident or the awareness that the incident may be inappropriate or criminal. Some children are too embarrassed or afraid to report the incident, or are threatened into silence. Adults who witness maltreatment may not report it because they do not consider the incident inappropriate or criminal or they may view it as a "private family matter" and, thus, none of their business.

Two in 3 abused or neglected children show signs of injury or impairment

The second National Study of the Incidence and Prevalence of Child Abuse and Neglect (NIS-2) focused on "officially recognized" maltreatment. However, the study was not restricted to cases reported to child protective service agencies. Cases known to other investigatory agencies such as police, courts, or public health departments were also included, as were cases known to other community institutions such as hospitals, schools, day care centers, and social service agencies. The study did not include "unofficial" cases known only to family members or neighbors. In this sense the incidence rates reported are underestimates.

NIS-2 estimated that official sources identified more than 1.4 million children who they believed to be harmed or at risk of harm by maltreatment at least once in 1986. Harm was defined as any maltreatment that caused, prolonged, or worsened some actual injury or impairment of at least moderate severity. More than 900,000 of these children suffered "demonstrable harm" as a result of maltreatment. This figure translates into an incidence rate of 15 children harmed per 1,000 children under age 18 in the U.S. population. Adding in those children not yet harmed, but at risk of harm, increases the rate to 23 children endangered or harmed by maltreatment for every 1,000 children in the U.S. population.

There are several different types of child maltreatment

Physical abuse includes physical acts that caused or could have caused physical injury to the child.

Sexual abuse is involvement of the child in sexual activity to provide sexual gratification or financial benefit to the perpetrator, including contacts for sexual purposes, prostitution, pornography, or other sexually exploitative activities.

Emotional abuse is defined as acts (including verbal or emotional assault) or omissions that caused or could have caused conduct, cognitive, affective, or other mental disorders.

Physical neglect includes abandonment, expulsion from the home, delay or failure to seek remedial health care, inadequate supervision, disregard for hazards in the home, or inadequate food, clothing, or shelter.

Emotional neglect includes inadequate nurturance or affection, permitting maladaptive behavior, and other inattention to emotional/developmental needs.

Educational neglect includes permitting the child to be chronically truant or other inattention of educational needs.

Most harm comes from abuse

Of those children harmed by maltreatment, most were victims of abuse (56%). The most frequent type of abuse was physical abuse. Five in 10 abused children were physically abused, 3 in 10 were emotionally abused, and 2 in 10 were sexually abused. Among those who were neglected, more than half were educationally

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neglected, one-third were physically neglected, and 1 in 10 were emotionally neglected.

Most of the children harmed by maltreatment (73%) suffered moderate injuries — injuries that persisted at least 48 hours but were not life threatening or did not involve long-term impairment. Serious injuries were experienced by 15% of harmed children, and in 0.1% of maltreatment cases the child died. For the remaining 12% of children, injury was inferred from the nature of the maltreatment itself (such as incest).

Child maltreatment increased substantially from 1980 to 1986

Overall, the incidence of child maltreatment in which the child was harmed increased 66% between 1980 and 1986. This increase primarily reflects an increase in the incidence of abuse (74%). Among abuse cases, the incidence of physical abuse increased 58% and the incidence of sexual abuse more than tripled. The incidence of emotional abuse remained virtually unchanged, as did the various forms of neglect.

The rates of fatally injured and severely injured children did not increase between 1980 and 1986. Moderate injuries were the only maltreatment-related injuries to show significant change (89%) over this time period. Based on these findings, the overall increase in cases of maltreatment between 1980 and 1986 may have largely been due to an increased likelihood that professionals recognized maltreatment, rather than to any increase in the actual incidence rate.

Maltreatment is related to characteristics of the child

The incidence of maltreatment varied by sex and age but not by race or ethnicity:

- The incidence of abuse was greater for females than for males. This difference stems primarily from the greater risk of sexual abuse for females.
- The incidence of child maltreatment generally increased with age. Within abuse, each of the abuse categories showed the age-related increase; within neglect the increase was limited to educational neglect.
- Moderate injuries were more frequent among older children. Fatalities were more frequent among younger children. Younger children also had more serious injuries. The NIS-2 report concludes that these findings might be due to the relative physical frailty of young children.
- From 1980 to 1986, the incidence of physical and sexual abuse increased more for older than for younger children.

Community agencies and institutions identify more maltreatment in lower income families

Community agencies and institutions report that children from families with an annual income of less than $15,000 experienced substantially more maltreatment of all types than children from families with greater incomes in 1986. The abuse rate was 4 times higher in families with income of less than $15,000 compared with those with higher incomes. The neglect rate was nearly 8 times higher in lower income families. Compared with those from families with incomes above $15,000, children in lower income families also suffered more injuries in every injury category except fatalities.

Most maltreatment cases are recognized by schools

In 1986 more maltreatment cases were identified by schools than by all other community agencies or institutions combined:

Schools	53%
Police/sheriff	9
Social services	9
Hospitals	5
Probation/courts	4
Public health	3
Daycare centers	2
Mental health	2
Welfare	2
All others	11

Source: NCCAN. (1988) *Study findings: Study of national incidence and prevalence of child abuse and neglect.*

Less than half of alleged child maltreatment cases were reported to child protective services in 1986

Community agencies and institutions reported 44% of the cases they recognized as possible child maltreatment cases to a child protective service agency. Hospitals, police and sheriff departments, and mental health agencies reported about 6 in 10 of their recognized cases. Social services, schools, public health, and probation/courts reported about 1 in every 4. Daycare centers had the lowest reporting rate, 1 in 6.

Most abuse and neglect cases enter the official child welfare system through child protective service agencies

What are child protective services?

Child protective services generally refer to services provided by an agency authorized to act on behalf of a child when parents are unable or unwilling to do so. In all States these agencies are mandated by law to conduct assessments or investigations of reports of child abuse and neglect and offer rehabilitative services to families where maltreatment has occurred or is likely to occur.

While the primary responsibility for responding to reports of child maltreatment rests with State and local child protective services agencies, prevention and treatment of abuse and neglect can involve professionals from many disciplines and organizations. Although variations exist among jurisdictions, community response to child maltreatment typically includes the following sequence of events.

Identification. Individuals likely to identify abuse are often those in a position to observe families and children on an ongoing basis. This may include educators, law enforcement personnel, social services, medical professionals, probation officers, daycare workers, mental health professionals, and the clergy, as well as family members, friends, and neighbors.

Reporting. Some individuals, such as medical and mental health professionals, educators, child care providers, social service providers, law enforcement personnel, and clergy, are often required by law to report suspicions of abuse and neglect Some States require reporting by any person having knowledge of abuse or neglect.

Child protective services or law enforcement agencies usually receive the initial report of alleged abuse or neglect that may include identifying information on the child, the nature and extent of maltreatment, and information on the parent or other person responsible for the child (caretaker). The initial report may also contain identifying information on the individual causing the alleged maltreatment (perpetrator), the setting in which maltreatment occurred, and the person making the report.

Intake and investigation. Protective services staff are responsible for determining whether the report constitutes an allegation of abuse or neglect and the urgency of the response needed. The initial investigation involves gathering and analyzing information from and about the child and family. Protective service agencies may work with law enforcement and other agencies during this period. Caseworkers generally respond to reports of abuse and neglect within 2 to 3 days. A more immediate response may be required if it is determined that a child is at imminent risk of injury or impairment.

If the intake worker determines that the referral does not constitute an allegation of abuse or neglect, the case may be closed. If there is substantial risk of serious physical or emotional harm, severe neglect, or lack of supervision, a child may be removed from the home under provisions of State law. Most States require that a court hearing be held shortly after the removal to approve temporary custody by the child protective service agency. In some States, removal from the home requires a court order.

Following the initial investigation, the protective service agency generally concludes one of the following: (1) sufficient evidence exists to support or substantiate the allegation of maltreatment or risk of maltreatment; (2) sufficient evidence does not exist to support maltreatment; or (3) maltreatment or the risk of maltreatment is indicated although sufficient evidence to conclude or substantiate the allegation does not exist. Should sufficient evidence not exist to support an allegation of maltreatment, additional services may still be provided if it is believed there is risk of abuse or neglect in the future.

Assessment. Protective services staff attempt to identify the factors that contributed to the maltreatment and to address the most critical treatment needs.

Case planning. Case plans are developed by protective services, other treatment providers, and the family in an attempt to alter the conditions and/or behaviors resulting in child abuse or neglect.

Treatment. A treatment plan is implemented for the family by protective services and other treatment providers.

Evaluation of family progress. After the treatment plan has been implemented, protective services and other treatment providers evaluate and measure changes in family behavior and the conditions that led to child abuse or neglect, assess changes in the risk of maltreatment, and determine when services are no longer necessary. Case managers often coordinate the information from several service providers when assessing the case's progress.

Case Closure. While some cases are closed because the family resists intervention efforts and the child is considered to be at low risk of harm, others are closed when it has been determined that the risk of abuse or neglect has been eliminated or sufficiently reduced to a point where the family can protect the child from maltreatment without further intervention.

If it is determined that the family will not be able to protect the child, the child may be removed from the home and placed into foster care. If the child cannot be returned home to a protective environment within a reasonable timeframe, parental rights may be terminated so that permanent alternatives for the child can be found.

One option available to child protective services is referral to juvenile court

Substantiated reports of abuse and neglect do not necessarily lead to court involvement if the family is willing to participate in the child protective agency's treatment plan. However, the agency may file a complaint in juvenile court if the child is to be removed from the home without parental consent or when the parents are otherwise uncooperative.

Adjudicatory hearings primarily focus on the validity of the allegations while dispositional hearings address the case plan (e.g., placement, supervision, and services to be delivered). Typical dispositional options include: treatment and services provided by protective service agencies, temporary custody granted to the State child protective agency, foster care, termination of parental rights, permanent custody granted to the State child protective agency, and legal custody given to a relative or other person. Both adjudicatory and dispositional hearings are held within a timeframe specified by State statute.

Although not all abuse and neglect cases are court involved, the juvenile court is playing an increasingly significant role in determining case outcomes. The Federal Adoption Assistance and Child Welfare Act of 1980 (PL 96–272) required greater judicial oversight of the child protective service agency's performance. This legislation was passed in an attempt to keep children from being needlessly placed in foster care or left in foster care indefinitely. The goal of this legislation was to enable the child to have a permanent living arrangement (e.g., return to family, adoption, or live with other relatives) as soon as possible.

Courts often review decisions to remove children from home during emergencies, oversee agency efforts to prevent placements and reunite families, approve agency case plans designed to rehabilitate families, periodically review cases, and decide whether to terminate parental rights in cases involving children unable to return home. Courts review case plans of all court-involved cases prior to implementation and maintain ongoing involvement until the child is either returned home or placed in a permanent, adoptive home.

Child protective service agencies received 1.9 million reports of child maltreatment in 1992

NCANDS monitors the caseloads of child protective services

The Child Abuse Prevention, Adoption, and Family Services Act of 1988 required the National Center on Child Abuse and Neglect (NCCAN) to establish a national data collection program on child maltreatment. In response, NCCAN established the National Child Abuse and Neglect Data System (NCANDS).

NCANDS annually collects information on cases handled by each State's child protective service agency. These data include information on the number of reports received, the number of children involved, the number of reports that were substantiated after investigation, information on the perpetrators in substantiated cases, and information on disposition of the cases. These data provide a national picture of the caseloads of child protective service agencies and their responses to child maltreatment cases.

Nationally, child protective service agencies received an estimated 1.9 million reports of alleged child abuse and neglect in 1992. Many of these reports involved more than one child (e.g., siblings) and a child may be involved in more than one report in a year. Therefore, it is difficult to determine how many individual children were involved in these reports. Child protective service agencies conducted approximately 1.6 million child abuse and neglect investigations.

In 41% of these investigations the allegation of child abuse or neglect was substantiated (i.e., the allegation of maltreatment or risk of maltreatment was supported or founded on the basis of State law or policy) or was indicated (i.e., the allegation could not be substantiated, but there was reason to suspect that the child was maltreated or was at risk of maltreatment).

How common are intentionally false allegations of child abuse and neglect?

Six States report information on the number of intentionally false allegations of child maltreatment — Florida, Hawaii, Illinois, Missouri, Vermont,

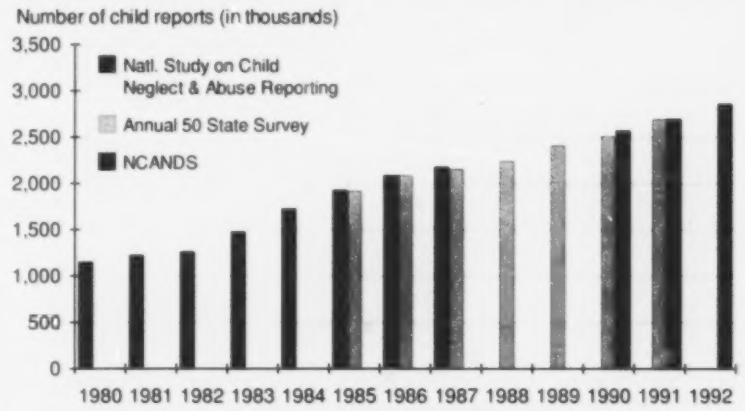
Educators are the most common source of reports of abuse and neglect to child protective service agencies

Source of referral	Percent of total
Professionals	50%
Educators	16
Social service	12
Legal justice	12
Medical	10
Family and community	27%
Friends/neighbors	10
Relatives—not parents	10
Parents	7
Other sources	23%
Anonymous	11
Victims	2
Other*	10

* Includes child care providers, perpetrators, and sources not otherwise identified.

Source: NCCAN. (1994). *Child maltreatment 1992: Reports from the States to the National Center on Child Abuse and Neglect.*

Reports of alleged child maltreatment have increased since 1980



- The increasing trend in child maltreatment reports over the past decade is believed to be the result, at least in part, of a greater willingness to report suspected incidents. Greater public awareness both of child maltreatment as a social problem and the resources available to respond to it are factors that contribute to increased reporting.

Note: Child reports are counts of children who are the subject of reports. Counts are duplicated when an individual child is the subject of more than one report during a year.

Sources: NCCAN. (1994). *Child maltreatment 1992: Reports from the States to the National Center on Child Abuse and Neglect.* NCCAN. (1993). *National child abuse and neglect data system: Working paper 2, 1991 summary data component.*

Neglect is the most common form of substantiated or indicated maltreatment

Type of maltreatment	% of Victims
Neglect	49%
Physical abuse	23
Sexual abuse	14
Emotional maltreatment	5
Medical neglect	3
Other	9
Unknown	3

Note: Total is greater than 100% because victims can be in more than one category when more than one type of abuse or neglect has occurred.

Source: NCCAN. (1994). *Child maltreatment 1992: Reports from the States to the National Center on Child Abuse and Neglect.*

and Virginia. Data from these States show that:

- 60% of allegation investigations were not substantiated.
- 5% of the allegations that were not substantiated were determined to be intentionally false.
- 3% of all allegations were intentionally false.

All children are potential victims of maltreatment

In 1992 information on substantiated or indicated victims of maltreatment provided by States to NCANDS found the following:

- 52% of the victims were female.
- 7% of victims were under the age of 1, 52% were under the age of 8, and 7% were 16 or older.

For every 1,000 juveniles in the Nation, 43 were the subject of abuse and neglect reports in 1992

State	Population under age 18 (in thousands)	Number of children subject of a report	State	Population under age 18 (in thousands)	Number of children subject of a report
Total U.S.	66,166	2,855,691	Missouri	1,350	79,493
Alabama	1,076	43,246	Montana*	226	14,760
Alaska*	185	9,892	Nebraska	439	17,029
Arizona	1,047	51,216	Nevada	338	22,540
Arkansas	629	36,089	New Hampshire	280	10,943
California	8,423	463,090	New Jersey	1,863	50,443
Colorado	909	55,740	New Mexico*	469	26,969
Connecticut	771	22,080	New York	4,422	228,457
Delaware	172	8,292	N. Carolina	1,662	88,472
Dist. of Columbia	117	12,093	N. Dakota	172	7,565
Florida	3,106	180,285	Ohio	2,820	148,101
Georgia	1,800	46,192	Oklahoma	858	24,092
Hawaii	293	5,310	Oregon	766	41,506
Idaho	324	24,020	Pennsylvania	2,844	25,891
Illinois	3,029	131,592	Rhode Island	233	12,886
Indiana	1,461	58,970	S. Carolina*	945	33,854
Iowa	735	28,094	S. Dakota	204	10,486
Kansas	678	22,079	Tennessee	1,246	31,231
Kentucky	964	56,438	Texas	5,072	174,255
Louisiana	1,238	47,893	Utah	654	27,047
Maine	306	10,177	Vermont	144	3,205
Maryland	1,226	48,698	Virginia	1,562	55,680
Mass.	1,384	52,581	Washington	1,355	55,836
Michigan	2,509	117,316	West Virginia	438	20,949
Minnesota	1,206	27,462	Wisconsin	1,330	47,622
Mississippi	748	32,076	Wyoming	138	5,458

* Unduplicated counts — children who were the subject of more than one report during the year were only counted once.

Note: Unless indicated otherwise, data are duplicated counts of children who are the subject of reports. Counts are "duplicated" because an individual child may be the subject of more than one report during the year. Many reports involve more than one child, in which case each child is counted separately.

Source: NCCAN. (1994). *Child maltreatment 1992: Reports from the States to the National Center on Child Abuse and Neglect.*

- 55% of the victims were white, 26% were black, 10% were Hispanic, and 4% were other races; race was unknown for the remaining 5% of victims.

Removal from home occurred in 1 of 5 substantiated cases

NCANDS reported that 18% of the victims in substantiated or indicated cases were removed from their homes in 1992. This represents a 6% increase over 1991.

Court actions (e.g., filing for temporary custody, filing for guardianship, filing a dependency petition, and other such civil actions) were initiated for 17% of the victims in substantiated or indicated cases in 1992.

Parents are most often the perpetrator in substantiated child maltreatment cases

In substantiated or indicated cases, 4 in 5 perpetrators were the child's parents.

	Percent of all perpetrators
Parents	81%
Other relatives	12
Noncaretakers	5
Child care	1
Foster parents	1
Facility staff	<1
Total	100%

Determining the exact number of children who die from maltreatment is difficult

NCANDS found that almost 1,100 children were known to have died as a result of abuse or neglect in 1992 in the 44 States reporting such deaths. This translates into more than 1 death for every 1,000 substantiated victims.

Using data from multiple data sets (including the FBI's Supplemental Homicide Reports), another study estimated as many as 2,000 child maltreatment deaths per year. More precise numbers of child maltreatment fatalities would require increased collaboration by medical, legal, and social service agencies.

States vary in the standard of proof required to substantiate allegations of child abuse and neglect

Level of evidence to substantiate a report			
Case worker's judgment	Some credible evidence	Credible evidence	Preponderance of evidence
Hawaii	Alaska	Alabama	District of Columbia
Mississippi	Arizona	Colorado	Georgia
Ohio	Arkansas	Connecticut	Iowa
Tennessee	California	Florida	Kansas
West Virginia	Idaho	Illinois	New Jersey
Wyoming	Kentucky	Maryland	Oklahoma
	Louisiana	Michigan	Pennsylvania
	Maine	Nebraska	Texas
	Massachusetts	Nevada	Vermont
	Missouri	Rhode Island	Virginia
	Montana	Utah	Washington
	New Hampshire		Wisconsin
	New York		
	North Carolina		
	North Dakota		
	Oregon		
	South Carolina		
	South Dakota		

Higher standards of proof result in slightly lower substantiation rates —

- Where the standard of evidence is the **case worker's judgment** the substantiation rate is 49%.
- Where the standard of evidence is "**some credible evidence**" the substantiation rate is 46%.
- Where the standard of evidence is "**credible evidence**" the substantiation rate is 44%.
- Where the standard of evidence is "**a preponderance of evidence**" the substantiation rate is 43%.

Note: Levels of evidence required to substantiate a report of child maltreatment are established by law, regulation, policy, or custom and usage. Delaware uses "level of risk."

Source: Flango, V. (1991). Can central registries improve substantiation rates in child abuse and neglect cases? *Child abuse and neglect.*

659,000 children were in substitute care for at least part of 1992

442,000 children were in substitute care at the end of 1992

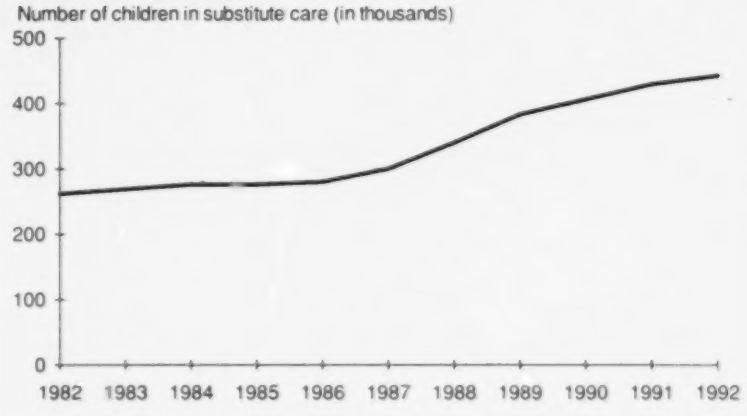
The American Public Welfare Association, with funding from the Department of Health and Human Services, collects information from public child welfare agencies on the services provided to children. This data collection system is the Voluntary Cooperative Information System (VCIS). VCIS monitors the flow of children through the substitute care system in the United States. The child substitute care population includes children living out of the home and under the management and planning responsibility of the State child welfare agency.

VCIS reports that 421,000 children were in substitute care at the beginning of 1992. During 1992, 238,000 children entered substitute care. Therefore, 659,000 children experienced substitute care for some period of time during 1992. During 1992 about 217,000 children left substitute care. Consequently, there were 21,000 more children living in substitute care at the end of 1992 than when the year began.

Most children in substitute care live in foster homes

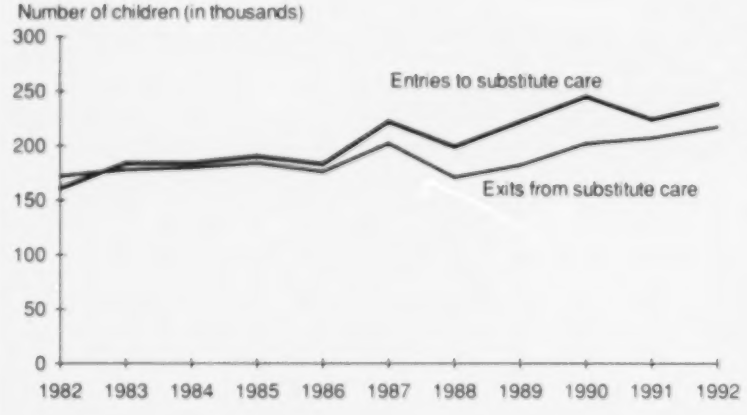
The most common type of substitute care provided by the child welfare system is foster care. In 1990, 75% of the substitute care population resided in foster care; 16% lived in group homes, emergency shelters, or other types of child care facilities; and 9% resided in such places as hospitals, correctional institutions or college dormitories or lived independently or in transitional settings.

The substitute care population increased by more than two-thirds between 1982 and 1992



Source: Tatara, T. (1993). U.S. child substitute care flow data for FY 92 and current trends in the State child substitute care populations. *VCIS Research Notes.*

More children have been entering than leaving substitute care each year



Source: Tatara, T. (1993). U.S. child substitute care flow data for FY 92 and current trends in the State child substitute care populations. *VCIS Research Notes.*

Children in substitute care in 1990 were much younger than those in care in 1982

The number of children in substitute care under age 6 increased 148% between 1982 and 1990. In contrast, the number of children between ages 13 and 18 increased only 2%. Thus, in 1990 children younger than age 6 accounted for 36% of the substitute care population, compared with 22% in 1982. Juveniles ages 13 to 18 comprised 45% of the 1982 population, but only 30% of the 1992 population. The median age of children in substitute care in 1982 was 13; by 1990 the median age had dropped to 9.

In 1990 a disproportionate number of black children were living in substitute care

In 1982 more than one-half (53%) of the child substitute care population was white and one-third (34%) was black. Hispanic children and children of other races were each 7% of this population. Between 1982 and 1990 the number of black children in substitute care increased 83%, while the number of white children increased 16%. Thus, by 1990 the proportions of white and black children in substitute care were approximately equal (39% and 40%, respectively). The number of Hispanic children increased 172% between 1982 and 1990 and represented 12% of the substitute care population in 1990. The proportion of children of other races remained almost constant at 8%.

In 1990 nearly 3 in 4 children entered substitute care for parent-related reasons

In 1990, 51% of all children entering substitute care were doing so for protective service reasons. Another 21% entered because of parental illness, death, handicap, or financial hardship. Twelve percent entered because of delinquency or status offending behavior. 1% entered as the result of parental relinquishment, 2% were due to the child's disability or handicap, and 13% entered for other reasons.

Between 1984 and 1990 the number of children entering substitute care due to parental absence increased 62%, while those entering for delinquency or status offending behavior increased 52%.

Children experienced a greater number of placements during a continuous period in substitute care in 1990 than in 1982

Although almost half of children in substitute care remained in one placement while in care, the proportion of these children declined from 56% to 43% between 1982 and 1990.

Number of placements	1982	1990
1	56%	43%
2	20	27
3 or more	24	30
Total	100%	100%

Source: Tatara, T. (1993). *Characteristics of children in substitute and adoptive care.*

Most children leaving substitute care in 1990 had been in care for less than 1 year

Time in care	Proportion of children leaving care
0–12 months	60%
1–2 years	17
2–3 years	9
3–5 years	9
More than 5 years	6

Note: Detail may not total 100% because of rounding.

Source: Tatara. T. (1993). *Characteristics of children in substitute and adoptive care.*

Two-thirds of children leaving substitute care in 1990 were reunited with their families

The proportion of children leaving substitute care who were reunited with their families increased substantially, from 50% in 1982 to 67% in 1990. There was a small decline in the number and proportion of children leaving substitute care who were adopted between 1982 (10%) and 1990 (8%). There was also a decline in the number and proportion of children leaving substitute care who reached the age of majority or were emancipated at the time of their exit from care, from 10% in 1982 to 6% in 1990. Other reasons for leaving care included running away, incarceration, marriage, death, discharge to another public agency, or establishment of legal guardianship.

Childhood abuse and neglect increases a child's odds of future delinquency and adult criminality

Today's abused and neglected children are likely to be tomorrow's violent offenders

An ongoing study of delinquency examined direct child maltreatment as well as more general exposure to family violence. Researchers interviewed 1,000 7th and 8th grade students and their caretakers every 6 months for 4 years, and also obtained information from child protective service agency files.

Compared with youth who were not abused or neglected, a greater proportion of youth who were substantiated victims of maltreatment before age 12 reported committing violent acts (70% vs. 56%). Even if they were not direct victims, youth exposed to various forms of family violence had higher rates of self-reported violence than those who were not exposed to such family violence.

Type of family violence	Percent reporting violent behavior
Spousal violence	
Child exposed	70%
Child not exposed	49
Child or sibling maltreatment	
Child exposed	70%
Child not exposed	53
Family climate of hostility	
Child exposed	68%
Child not exposed	43

Source: Thornberry, T. (1994). Violent families and youth violence. *OJJDP Fact Sheet.*

In addition, self-reported violence increased with exposure to more types of violence. Exposure to all three forms of family violence doubled the risk of self-reported violence.

Number of types of family violence	Percent reporting violent behavior
All three	79%
Two	73
One	60
None	39

Source: Thornberry, T. (1994). Violent families and youth violence. *OJJDP Fact Sheet.*

Arrest records study also finds abused and neglected children more likely to become violent

A recent National Institute of Justice study compared arrest records of 908 persons who had court-substantiated cases of abuse or neglect prior to age 12 with those of a demographically matched comparison group of 667 children with no official abuse or neglect histories.

Researchers found that 26% of abused or neglected children eventually had a juvenile arrest record, compared with 17% of children who were not abused or neglected. Abused or neglected children were also more likely to have an adult arrest record (29% compared with 21%) and to have an adult or juvenile arrest for violent crime (11% compared with 8%).

Not only did the prevalence of an arrest history differ for the two groups, but the nature of the offending patterns varied also. Compared with the control group, abused or neglected children had a first arrest at a younger age, committed more offenses, and were arrested more frequently.

Although childhood abuse and neglect increased the probability that the child would enter the juvenile justice system, childhood abuse apparently had no effect on the juvenile offender continuing law-violating behavior into the adult years. In both groups about half of the children with juvenile arrest records were also arrested as an adult. In addition, in both groups, roughly one-third of those with juvenile violent crime arrest histories also had a violent crime arrest as an adult.

Not only does "violence beget violence," but neglect does too

While the likelihood of later violence was greater for children who experienced violence first hand, neglected children also displayed an elevated level of violence later in life.

Type of abuse	Percent with violent offense arrest
Physical abuse only	16%
Neglect only	12
Sexual abuse only	6
Comparison group	8

Source: Widom, C. (1992). The cycle of violence. *NIJ Research in Brief.*

3 in 10 female inmates in State adult prisons said they had been abused as juveniles

- **31% of women in prison in 1991 had been abused before age 18, and 24% after age 18.**
- **These women were equally likely to report being sexually as physically abused before they entered prison.**
- **Females were more likely than male inmates to have been abused in their past (43% vs. 12%).**

Source: Beck, A., et al. (1992). *Survey of State prison inmates, 1991.*

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Chapter 3

Juvenile offenders

How many children are involved in law-violating behavior? What proportion of all crime is committed by juveniles? What are the trends? What do we know about juveniles and gangs? At what time of the day are juvenile offenses most likely to occur? Are there systematic patterns in the law-violating careers of juvenile offenders? What is the prevalence and incidence of drug use? How many murders are committed by juveniles annually, and who do they murder?

Many offenders are not arrested, and many arrested are not referred to juvenile courts. This chapter presents what is known about the prevalence and incidence of juvenile offending. It relies primarily on data developed by the Bureau of Justice Statistics' National Crime Victimization Survey and the National Youth Survey, the Federal Bureau of Investigation's National Incident-Based Reporting System, and the National Institute of Justice's Drug Use Forecasting Program and the Monitoring the Future Study, as well as published research studies.

Acknowledgments

This chapter was written by Howard Snyder. Significant contributions to this chapter were made by several others. James Lynch conducted and summarized his original analysis of data from the National Crime Victimization Survey. James Fox conducted and summarized his original analysis of the FBI's Supplementary Homicide data. Melissa Sickmund prepared the section on juveniles and guns. Barbara Tatem Kelley and Patricia Torbet provided information used to develop the gang section. Contributions were also made by Pamela Messerschmidt and Laura Graham.

Self-reports and official records are the primary sources of information on juvenile offending

Self-report studies ask victims or offenders to report on their experiences and behaviors

There has been an ongoing debate about the relative ability of self-report studies and official statistics to describe juvenile crime and victimization.

Self-report studies can capture information on behavior that never comes to the attention of juvenile justice agencies. Compared with official studies, self-report studies find a much higher proportion of the juvenile population involved in delinquent behavior.

However, self-report studies have their own limitations. A youth's memory limits the information that can be captured. This, along with other problems associated with interviewing young children, is the reason why the National Crime Victimization Survey does not attempt to interview children below age 12. Some victims and offenders are also unwilling to disclose all law violations. Finally, it is often difficult for self-report studies to collect data from large enough samples to develop a sufficient understanding of relatively rare events, such as serious offending.

Official statistics describe the cases handled by the justice systems

Official records underrepresent juvenile delinquent behavior. Many crimes by juveniles are never reported to authorities. Many juveniles who commit offenses are never arrested. Or, if they are arrested, they are not arrested for all of their delinquencies. As a result, official records may systematically suppress the actual picture of juvenile crime.

Official statistics are open to multiple interpretations

Black juvenile arrest rates for marijuana and cocaine violations in recent years have been substantially greater than white arrest rates. One interpretation of these official statistics could be that black juveniles abuse these drugs more. However, a national self-report study finds that black juveniles are no more likely than white juveniles to report they have used illicit drugs. Arrest rates for black youth may be higher because of the more serious nature of their offending (i.e., sales vs. possession), the general frequency with which they commit the acts, or greater law enforcement surveillance.

Trends in official statistics are also sometimes difficult to interpret. A study conducted in Philadelphia of males born in 1945 found that 50% of blacks and 29% of whites had a police contact before their 18th birthday. A replication study of males born in 1958 found that smaller proportions of black males (42%) and white males (23%) had a police contact. How should these declines be interpreted? While they may reflect a decline in delinquent behavior, a change in police statistics may also reflect changes in law enforcement policies and procedures.

Official statistics are best used to monitor system flow

While official records may be inadequate measures of the level of juvenile offending, they do monitor justice system activity. An understanding of the size, characteristics, and variations in official statistics across time and jurisdictions provides a description of the caseloads of the justice system.

Carefully used, self-report and official statistics provide insight into crime and victimization

Recently the president of the American Society of Criminology stated that to abandon either self-report or official statistics in favor of the other is "rather shortsighted; to systematically ignore the findings of either is dangerous, particularly when the two measures provide apparently contradictory findings." He argued that a full understanding of the etiology of delinquent behavior and its development is enhanced by using and integrating both self-report and official record research.

How much crime in the U.S. is caused by juveniles?

Victims attributed about 1 in 4 personal crimes to juvenile offenders in 1991

One of two continuous sources of information on the proportion of crime committed by juveniles is the National Crime Victimization Survey (NCVS). NCVS captures information on crimes committed against persons age 12 or older. Crimes committed against children below age 12 are not counted. As a result, significant numbers of crimes committed by juveniles and adults are not reported.

In 1991 NCVS found that victims age 12 and older reported that the offender was a juvenile (under age 18) in approximately 28% of personal crimes (i.e., rape, personal robbery, aggravated and simple assault, and theft from a person). These victims also reported that 88% of juvenile crimes were committed by male offenders and 10% by female offenders, with the remainder committed by both males and females. Adult offenders in 1991 had a similar sex profile.

Victims reported that half of all juvenile offenders were white

In 1991 victims of personal crimes reported essentially the same racial distribution for juvenile and adult offenders:

Race of offender	Offender age	
	Juvenile	Adult
White	51%	51%
Black	41	39
Other race	8	10
Total	100%	100%

Source: BJS. (1992). *National crime victimization survey, 1991* [machine-readable data file].

Juveniles were responsible for about 1 in 5 violent crimes

In 1991 juveniles were responsible for 19% of all violent crimes (i.e., rape, personal robbery, and aggravated and simple assault) reported to NCVS in which there was a single offender.

Age of victim	Proportion of crimes committed by juveniles		
	Crimes of violence	Robbery	Assault
All ages	19%	14%	21%
12–19	49	48	52
20–34	5	7	5
35–49	11	4	12
50–64	5	<1	5
Over 64	<1	<1	<1

Source: BJS. (1992). *Criminal victimization in the U.S. 1991.*

Persons most likely to be victimized by juveniles were individuals between ages 12 and 19 (remembering that crimes against children below age 12 are not a part of NCVS). The offender was a juvenile in nearly half of these violent crimes. In contrast, juveniles were seldom the offender in crimes against older victims. For example, 7% of robberies of persons ages 20–34 were committed by juveniles, and victims above age 50 rarely reported that they were robbed by juveniles.

One in 7 serious violent crimes involved juveniles in groups

Seventeen percent of all serious violent crimes in 1991 were committed by juveniles only, either alone (11%) or in juvenile groups (6%). Another 8% of serious violent crimes were committed by a group of offenders that included at least one juvenile and one adult. In all, 25% of all serious violent crime involved a juvenile offender; and of these crimes, more than one-half involved a group of offenders. Adults were less likely to commit crimes in groups; about one-third of serious violent crimes committed by adults involved a group of offenders.

Number and type of offenders	Percent of serious violent crime
1 juvenile	11%
2 or more juveniles	6
1 or more juvenile with adult(s)	8
2 or more adults	22
1 adult	53
Total	100%

Juvenile victims were more likely than adult victims to be victimized by a group of juvenile offenders. That is, 14% of all juveniles who were victims of a serious violent crime reported that they were victimized by two or more juvenile offenders, compared with 3% of adult victims.

Racial profiles of violent crime victims varied with the race of the juvenile offender

In 1991, when a white juvenile committed a violent crime, the victim was nearly always white (95%).

Race of victim	Juvenile offender's race		
	White	Black	Other
White	95%	57%	80%
Black	3	37	7
Other	2	6	13
Total	100%	100%	100%

Note: Hispanics can be of any race, but most are classified as white.

Source: BJS. (1992). *National crime victimization survey, 1991* [machine-readable data file].

In contrast to white offenders, the victim profile of black juvenile offenders was more racially mixed. Fifty-seven percent of the violent crime victims of black juvenile offenders were white and 37% black.

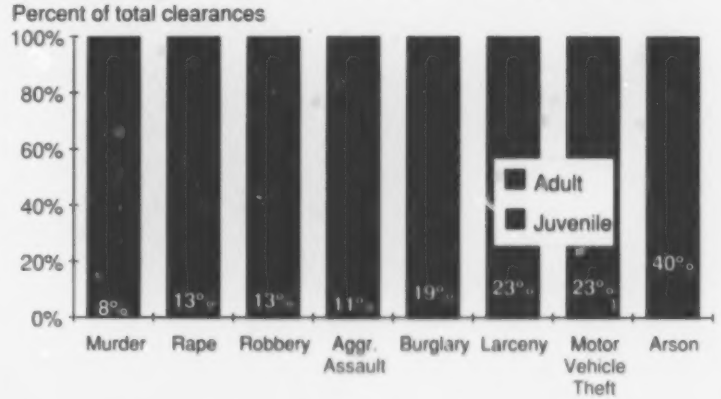
Juveniles were responsible for 1 in 10 violent crimes cleared by arrest in 1991

The second source of information that addresses the relative volume of crime committed by juveniles and adults comes from the FBI. The FBI tracks the proportion of crimes that result in arrest — or crimes cleared — and the age of the arrestee(s). Many crimes captured by NCVS are never reported to law enforcement agencies and many reported crimes never result in arrest. In contrast to NCVS data, some cleared crimes are against children below age 12. For these and other reasons, NCVS and the FBI's clearance statistics approach the question of the relative volume of juvenile crime from different perspectives.

The FBI reported that 11% of all violent crimes (i.e., murder, forcible rape, robbery, and aggravated assault) cleared in 1991 were cleared by the arrest of a person under age 18. Juveniles were also arrested in 22% of all cleared property crimes (i.e., burglary, larceny, motor vehicle theft, and arson).

The juvenile proportions of crime inferred by FBI clearance data are below those roughly corresponding figures reported by NCVS for 1991. One possible reason for this difference is that adult crimes are more serious and, therefore, are more likely than are crimes committed by juveniles to be reported to law enforcement. If so, the differential reporting would make the juvenile contribution to crime smaller from the perspective of law enforcement than from the perspective of victims.

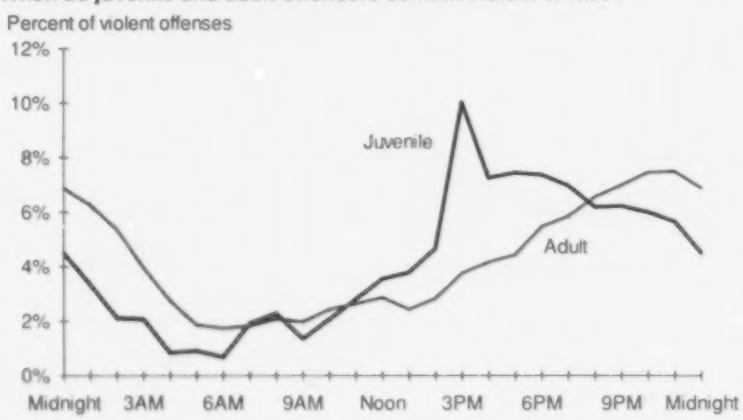
The juvenile responsibility for crime varies substantially with offense



- Based on the FBI's 1991 clearance data, juveniles were responsible for a substantially greater proportion of property crimes than violent crimes.

Source: FBI. (1992). *Crime in the United States 1991.*

When do juvenile and adult offenders commit violent crimes?



- Violent crimes committed by juveniles peak at the close of the school day and decline throughout the evening hours.
- In contrast with juveniles, the number of violent crimes committed by adults increases from early morning through midnight.
- The time profiles of when juveniles commit violent crime and when juveniles are the victims of violent crime are similar.

Note: Data are from the State of South Carolina.

Source: FBI. (1993). *National incident-based reporting system 1991 and 1992* [machine-readable data files].

Most juveniles have broken the law, fewer have an official record, and very few are responsible for the majority of offending

Most juveniles have committed at least one delinquent act

A study by Shannon in Racine, Wisconsin, found that 90% of males and 65–70% of females who turned 18 in the 1960's and 1970's reported they had engaged in at least one illegal act before age 18. A more recent self-report study conducted by Huizinga and others in high-risk areas of Denver found that 94% of boys and 90% of girls reported they had committed a delinquent offense before turning 18. The Denver study, as well as one conducted in Pittsburgh by Loeber and others, found that 10% of boys in high-risk areas reported having committed at least one street crime (e.g., fighting, purse snatching, burglary, bicycle theft, theft from school) by age 7.

High levels of violence have also been reported. The National Youth Survey, conducted by Elliott and others, interviewed juveniles who turned 18 in the late-1970's and early-1980's. This study found that by their 18th birthday 30% of males and 10% of females reported committing at least 3 violent offenses within a 1-year period.

Black juveniles are twice as likely as white juveniles to come in contact with law enforcement

A 1986 National Academy of Sciences (NAS) study concluded that 27% of all males, 20% of white males, and 42% of black males will come in contact with law enforcement before their 18th birthday. A study by Tracy and others in Philadelphia of males and females who turned 18 in 1976 found that more than twice as many males as females had a police contact by age 18 (33% vs. 14%).

The large difference between the proportion of juveniles who commit crime and the proportion apprehended is apparent. A study by Wolfgang et al. of police records of Philadelphia males who turned 18 in 1963 found that 35% of males had a police contact before their 18th birthday. However, followup interviews with the boys found that 60% of the most serious offenders were not known to police. Similarly, the National Youth Survey found that 84% of the most frequent and serious offenders had no official record.

Most juveniles who come in contact with the juvenile justice system do so only once

The study of Philadelphia males who turned 18 in 1976 found that 42% of those with police contacts had only one contact by their 18th birthday. Snyder's study of the juvenile court careers of 69,000 youth in Arizona and Utah found that 59% of all youth referred to court intake once did not return to juvenile court again.

Both these studies found that males were more likely to recidivate than females. For example, in the court records study, 71% of the females who came to the attention of the court had only one referral compared with 54% of the males.

Minorities were more likely to have multiple official contacts. In the Philadelphia study, for example, 48% of white males with police contacts had more than one contact, compared with 63% of nonwhite males.

Juvenile offending — some specialization amidst a large amount of versatility

Some juveniles are referred to the justice system repeatedly for the same type of offense. However, such specialization is rare. In general, a juvenile law-violating career usually involves a wide variety of offenses.

Most juveniles who commit violent offenses are persistent offenders who, as they continue to offend, eventually commit a violent act. The sequencing of law-violating behaviors in the careers of violent offenders is best characterized as a general trend of diversification, not specialization. As the delinquency career continues, more serious behaviors are added, and do not replace, the less serious law-violating behaviors.

The earlier the onset of a delinquent career, the greater the number of delinquent offenses juveniles are likely to commit before their 18th birthday. However, the average seriousness of the offenses in a delinquent career is not related to the age at onset.

Serious offending increases as the delinquent ages and as the career lengthens

With age and the related increase in physical ability, and access to delinquent peers, weapons, drugs, and situations that could lead to law-violating behavior, juveniles become more able and likely to commit serious delinquent acts. This point is supported by the FBI's 1992 arrest statistics, which show that the violent crime proportion of all arrests increased consistently with age through the juvenile years.

Both studies of police contacts in Philadelphia found a tendency for offense severity to increase with each new police contact. When an offense was repeated, the severity of the new offense tended to be greater than its predecessor. The study of juvenile court careers in Arizona and Utah also found a general progression in referrals from less to more serious behaviors. For example, a violent offense was more likely to be found toward the end of a juvenile career.

This increase is not consistent, however. The studies in Philadelphia and in Denver found that violent behavior is intermittent and imbedded in a series of less violent offenses.

A small number of juvenile offenders are chronic, or persistent, offenders

In the first Philadelphia study Wolfgang and his colleagues introduced and popularized the term *chronic offender*. They found that only 6% of the boys in the birth cohort (or 18% of all male offenders) had 5 or more police contacts before their 18th birthday. This small group was responsible for more than half of all the offenses committed by the cohort, including:

- 82% of robberies.
- 73% of forcible rapes.
- 71% of homicides.
- 69% of aggravated assaults.

Wolfgang labeled this small group of offenders, those with 5 or more police contacts, as chronic offenders.

The same pattern has been noted in many studies. In the second Philadelphia cohort study 7% of boys in the birth cohort (or 23% of all male offenders) had 5 or more police contacts and accounted for 61% of all offenses committed by males and:

- 75% of forcible rapes.
- 73% of robberies.
- 65% of aggravated assaults.
- 60% of homicides.

The study of juvenile court careers in Arizona and Utah found that 16% of youth referred to court, those with 4 or more referrals in their careers, accounted for 51% of all court referrals and were responsible for a disproportionate share of serious referrals:

- 70% of motor vehicle thefts.
- 67% of robberies.
- 67% of burglaries.
- 66% of forcible rapes.
- 64% of murders.
- 61% of aggravated assaults.

They were far less responsible for cases involving shoplifting (31%) and underage drinking (40%).

The National Youth Survey also found the majority of offending to be concentrated in a small portion of the population. More than one-half of all offenses reported by this nationally representative sample and 83% of its serious crimes were committed by 5% of the youth.

The suggestion has been made that rehabilitation efforts and crime control initiatives should focus on chronic offenders to maximize crime reduction effects. Although appealing on the surface, it is difficult to implement such a policy. Chronic offenders would have to be identifiable early in their offending careers if interventions were to have the opportunity to halt their chronic offending patterns, and prospective identification has been found to be elusive.

Some juvenile offenders continue offending as adults

The reported percentage of juvenile offenders who continue to offend as adults depends upon the sample studied, the definition of offending, and the length of adult followup.

A sample of youth from the first Philadelphia cohort study was followed through age 30. About half of males with juvenile police contacts had an officially recorded arrest by age 30. A study of violent juvenile offenders in Columbus, Ohio, conducted by Hamparian et al., found that 64% of males and 33% of females were rearrested as adults by age 25.

A study conducted by the South Carolina Department of Youth Services found that 20% of males with a juvenile court record were either placed on adult probation or in an adult institution by age 21.

A followup study of male juveniles incarcerated in California Youth Authority institutions showed that 94% were arrested as adults, 82% for a major felony, 65% for a violent offense, and 42% had more than 9 adult arrests during an 8-year followup period.

Probability of adult arrest increases with the number of juvenile arrests

The earlier a youth commits a serious violent offense, the more likely the youth is to continue this behavior in the adult years. The National Youth Survey found that 45% of youth initiating serious violent offending before age 11 continued to commit violent acts into their twenties.

compared with about one-fourth of those who started at ages 11 and 12, and a lower and relatively constant proportion for those who began such behavior at ages 13 to 17.

In the Columbus study of violent juvenile offenders, 36% of those with 1 juvenile arrest had an adult arrest by age 25, 62% of those with 2 to 4 juvenile arrests, and 78% of those with 5 or more juvenile arrests.

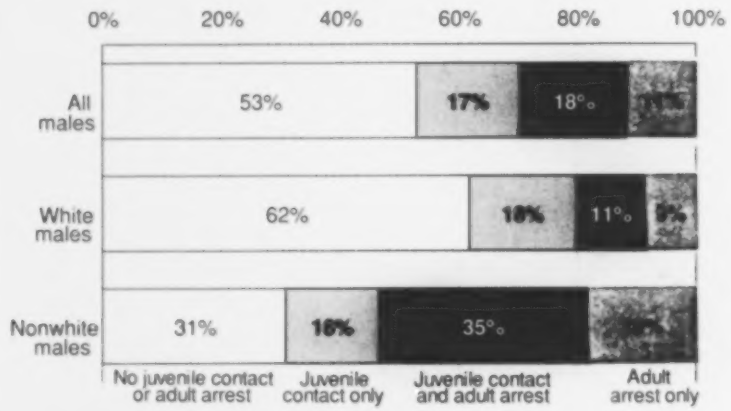
Serious adult offenders are likely to have more serious juvenile careers

Haapanen found that 60% of a sample of adult prisoners in the California Department of Corrections in the late 1970's who were convicted of robbery and burglary had prior commitments to California Youth Authority institutions. In a nationwide sample of State prisoners age 40 or older in 1979, Langan and Greenfield found that 15% reported that they had been incarcerated as a juvenile, and 44% had been placed on juvenile probation.

Juvenile offending is less predictive of adult offending as an adult ages

Older adult offenders are less likely than younger adult offenders to have a juvenile record. A study of prisoners in South Carolina found that 65% of the 18-year-olds in adult institutions had a juvenile record, compared with 48% of 21-year-olds and 34% of 24-year-olds. A similar pattern was found for adults on probation. Fifty-two percent of 18-year-old probationers had a juvenile record, compared with 27% of 21-year-old and 20% of 24-year-old probationers.

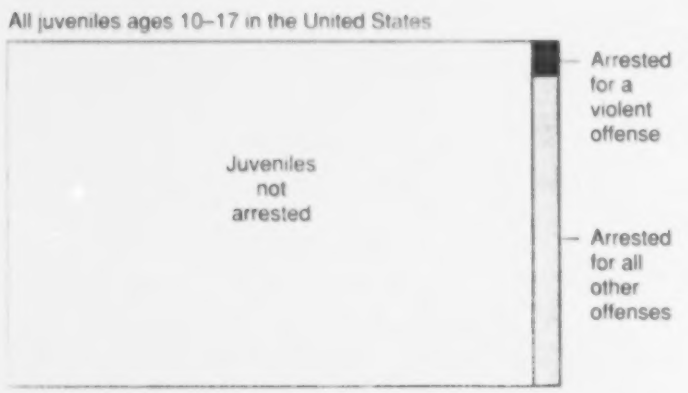
Half of the males with police contacts as juveniles had no adult arrests by age 30; nearly 4 in 10 males arrested as adults had no juvenile record



- 6 in 10 white males and 3 in 10 nonwhite males had no police contact as a juvenile and no arrest as an adult by age 30.

Source: Wolfgang, M., Thornberry, T., and Figlio, R. (1987). *From boy to man, from delinquency to crime.*

Less than one-half of 1 percent of juveniles in the U.S. were arrested for a violent offense in 1992


All juveniles ages 10–17 in the United States
Juveniles not arrested
Arrested for a violent offense
Arrested for all other offenses

- 5% of juveniles were arrested in 1992 — of those, about 9% were arrested for a violent crime.

Source: FBI. (1993). *Crime in the United States 1992.*

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How many juveniles carry guns and other weapons?

Many high school students say they carry weapons, but few carry guns

In 1990 the Centers for Disease Control asked a nationally representative sample of students in grades 9–12 how many times they had carried a weapon, such as a gun, knife, or club, during the past 30 days. One in 5 reported carrying a weapon at least once in the previous month. About 1 in 20 said they had carried a firearm, usually a handgun.

Males were nearly 4 times as likely as females to report carrying a weapon (31% vs. 8%). Hispanic males (41%) and black males (39%) were more likely to say they carried a weapon than were white males (29%).

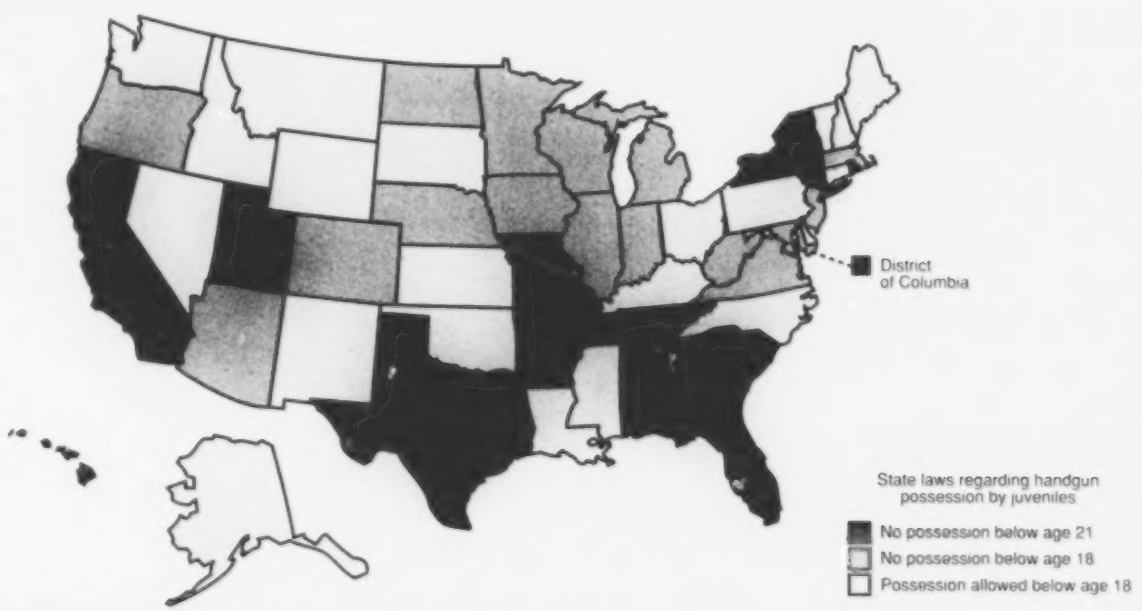
Of students who reported they had carried a weapon, 25% said they had carried a weapon only once in the 30-day period, while 43% reported carrying a weapon 4 or more times. Students who reported carrying weapons 4 or more times were 9% of all students and accounted for 71% of weapon-carrying incidents.

Among students who reported carrying a weapon, knives or razors were carried more often (55%) than clubs (24%) or firearms (21%). Most students who reported carrying firearms carried handguns. Black males were the only group for whom firearms were carried more often than other weapons — 54% of black males who carried weapons carried a firearm.

Study finds strong relationship among illegal gun ownership, delinquency, and drug abuse

A recent longitudinal study of high risk, urban youth in Rochester, New York, assessed the scope of legal and illegal gun ownership by 9th and 10th grade boys. [Legal guns are defined as shotguns or rifles owned for reasons other than protection.] By 10th grade more boys owned illegal guns (7%) than legal guns (3%). Of those who owned illegal guns, 57% carried them on a regular basis, and 24% had used a gun in a street crime. Compared with those with legal guns, boys with illegal guns were more likely to be involved in street crime (74% vs. 14%), to use drugs (41% vs. 13%), and to be a gang member (54% vs. 7%).

At the end of 1993, 16 States had laws prohibiting the possession of handguns by juveniles


District of Columbia
State laws regarding handgun possession by juveniles
No possession below age 21
No possession below age 18
Possession allowed below age 18

Source: National Governors' Association. (1994). *Kids and violence.*

Gun possession is common for serious juvenile offenders and some inner-city high school students

A study of inmates in maximum security juvenile correctional facilities and high school students in inner-city areas where gun-related violence was likely to occur found:

- 55% of inmates said they carried guns all or most of the time in the year or two prior to their incarceration; 84% carried a gun now and then; and 63% had committed at least one crime with a gun.
- 12% of students said they carried guns most of the time, while another 23% said they carried guns now and then.
- 62% of inmates had male family members who routinely carried a gun; 84% had been threatened with a gun or shot at during their lives; and half had been stabbed with a knife.
- Two in 5 students reported that males in their family routinely carried guns outside the home; 45% had been threatened with a gun or shot at on their way to or from school; 1 in 10 had been stabbed; and 1 in 3 had been seriously assaulted in or on the way to school.
- Few thought it would be difficult to get a gun — 13% of inmates and 35% of students said it would be a lot of trouble or nearly impossible.
- Except for military-style rifles, most guns obtained from informal sources were purchased for $100 or less. Most military-style rifles cost $300 or less.
- 35% of inmates and 10% of students believed it was "okay to shoot a person if that is what it takes to get something you want."
- 61% of inmates and 28% of students believed it was "okay to shoot someone who hurts or insults you."

Many inmates of juvenile facilities and inner-city high school students own at least one gun

	Percent who said they owned a gun	
	Inmates	Students
Any type of gun	83%	22%
Rifles		
Sawed-off shotgun	51	9
Regular shotgun	39	10
Automatic/semiautomatic	35	6
Target or hunting	22	8
Handguns		
Revolver	58	15
Automatic/semiautomatic	55	18
Derringer or single-shot	19	4
Homemade (zip)	6	4
Three or more guns	65	15

Source: Sheley, J., and Wright, J. (1993). Gun acquisition and possession in selected juvenile samples. *Research in Brief*.

To obtain a gun—informal sources were preferred

	Percent of inmates	Percent of students
Likely source if desired		
Get off the street	54%	37%
Borrow from family or friend	45	53
Buy from family member or friend	36	35
Get from a drug dealer	36	22
Get from an addict	25	22
Steal from a house or apartment	17	8
Steal from a person or car	14	7
Buy from gun shop	12	28
Steal from a store or pawnshop	8	4
Source of most recent handgun		
A friend	30%	38%
The street	22	14
Drug addict	12	6
"Taken" from a house or car	12	2
Drug dealer	9	2
Gun shop/pawnshop	7	11
Family member	6	23

Source: Sheley, J., and Wright, J. (1993). Gun acquisition and possession in selected juvenile samples. *Research in Brief*.

The main reason given for having a gun was self-protection

	Percent listing reason as "very important"	
	Inmates	Students
Protection	70%	68%
Enemies had guns	52	32
To get someone	38	18
Use in crimes	37	(not asked)
Friends had one	17	9
To impress people	10	9
To sell	10	5

Source: Sheley, J., and Wright, J. (1993). Gun acquisition and possession in selected juvenile samples. *Research in Brief*.

The number of jurisdictions affected by gangs has increased substantially in the past 20 years

Statistically, little is known about gangs in the U.S.

No national-level data are collected on the number of gangs or gang members, the juvenile proportion of gang members, or the volume of gang crime. An increasing number of local and State agencies are collecting these statistics, but striking differences exist in the criteria for identifying gangs and gang members and for classifying a crime as gang related.

Key elements most frequently incorporated into local definitions of gangs address the group involvement in violence and other crime, use of symbols, internal organization, identifiable leadership, control of territory, and recurrent interaction.

Gang literature distinguishes among the actual leaders, core members, fringe members, and "wannabes." These distinctions are not captured in gang member statistics, particularly when member counts are aggregated across reporting law enforcement jurisdictions. Interpretation of member counts is further confounded by the lack of uniformity in procedures to purge files of inactive gang members. Retention of such persons in gang data bases artificially inflates the number of gang members involved in criminal activity and the age range of gang members.

In some cities, gang crime is ***member defined***—any offense involving a gang member as a perpetrator or victim is counted as a gang crime. In others it is ***motive defined***—only offenses committed on behalf of the gang are counted, such as crimes committed in defense of territory, retaliations, witness intimidations, and graffiti.

Gangs in the 1990's are characterized by diversity

It is difficult to describe the "typical" gang, as membership and gang-related activities vary considerably. For instance, in chronic, well-established gangs, members remain active over a longer period of time, whereas emerging gangs might attract more transient members.

Gangs tend to be composed of ethnically similar members, with ethnic gangs distinguishing themselves in terms of such factors as principal orientation (e.g., profit, turf, honor, and socialization), choice of crimes (e.g., drug sale, extortion, assault, hate crimes, car theft, and armed robbery), drug of choice, and use of symbols (e.g., tattoos, style of dress, hand signals, and graffiti).

Gangs have recently emerged in many jurisdictions

Gangs have been in existence for decades in certain urban areas, such as Chicago, Los Angeles, New York City, and Philadelphia. These cities are commonly referred to as "chronic gang problem" cities. A disturbing trend observed over the past two decades is the emergence of gang problems in all regions of the U.S. Gang activity has extended beyond the inner city of major population centers into smaller cities, suburbs, and rural communities.

Miller surveyed metropolitan areas in 1975 and found that half reported a gang problem. In 1992 Curry, Ball, and Fox surveyed metropolitan police departments in the 79 largest U.S. cities and in a sample of 43 smaller cities. Police departments in 72 of the 79 largest cities reported having criminally involved groups, which they labeled as ***gangs***, that had juvenile members. Three more large cities reported gang-like problems, including drug organizations, posses, and crews. In addition, 88% of the smaller cities also reported a gang problem.

Many of the cities in the 1992 survey had been studied in a 1988 survey. The 1992 findings indicate that there had been a significant increase in the proportion of both large and small cities with gang problems in the previous few years. For example, gangs were reported in three-quarters of large cities in 1988 and in about 9 in 10 in 1992. Smaller cities showed a similar increase. In 1988, 7 in 10 smaller cities reported a gang problem, compared with nearly 9 in 10 in 1992.

Gang migration from city to city was not planned

There is some concern that certain gang nations, such as the "Crips" and the "Bloods," are migrating eastward from the west coast. There is little evidence for more than sporadic deliberate migration of these groups. The emergence of gangs in new areas can more readily be explained by normal residential relocation and local genesis.

The size of the juvenile component of gangs varies by gang type

The age structure of gangs is dependent on the length of time the gang has been in existence. Cities with an emerging gang problem report that up to 90% of gang members are juveniles. In cities with more established gangs, only about one-fourth of gang members are juveniles.

Gang-related crime is primarily a violent crime problem

In the 110 jurisdictions in the 1992 survey reporting gang crime problems, there were an estimated 250,000 gang members (both juvenile and adult) in approximately 5,000 gangs. Surprisingly, law enforcement agencies in these jurisdictions reported only 46,000 gang-related crimes — or less than one crime per year for every five gang members. The researchers offered three possible explanations for this apparent imbalance.

First, gang members may remain in the official files even though they have not recently committed a gang-related crime. Second, gang crimes often involve multiple offenders. Third, the survey relied exclusively on law enforcement records of incidents, and should not be expected to portray accurately the actual law-violating behavior of gang members.

Homicides and other violent crimes accounted for about half of all recorded gang-related crime incidents in the reporting jurisdictions.

Profile of gang-related crime:

Homicide	2.3%
Other violent	48.5
Property	14.8
Drug-related	10.3
Vice	2.9
Other crimes	21.2

Gang-involved juveniles engage in more violent behavior than nongang delinquents, and gang-related violence has increased since the late 1980's. Contrary to media accounts, the bulk of gang violence is not a cause or consequence of drug dealing. Violence occurs independently and is more often related to status and territorial disputes directed at members of other gangs. Associated with the escalation of violence are more lethal and more plentiful firearms. The most common victims of gang assaults are other gang members.

Despite reports of gang involvement in drug trafficking, researchers have found that street gang structures do not organizationally support drug distribution, but drug-selling cliques within the gang may operate. That is, individual gang members may be involved in distribution networks, but in most instances these networks are not organized gang activities.

The ethnic composition of gangs has changed from previous decades

In the early part of the century, gang members were most commonly second-generation white immigrants from eastern and southern Europe and African-Americans who had recently immigrated to northern cities from the South. Recent studies have highlighted increases in gang activity among Central and South American and Asian immigrants.

About one-third of police departments responding to the 1992 survey could provide information on the ethnicity of gang members. In these jurisdictions, the ethnicity of gang members was estimated to be 48% African-American, 43% Hispanic, 5% Asian, and 4% white. Compared with research conducted over the last few decades, the proportions of white and Asian gang members appears to be increasing.

A small proportion of gang members are female

Data available from the 1992 survey of law enforcement agencies did not substantiate major involvement of females in gangs. Some jurisdictions reported no female gang members, while others as a matter of policy never classified females as gang members or relegated females to the status of associate gang members. Controlling for law enforcement policies that exclude female gang members, it was estimated that about 6% of gang members are female.

The 1992 survey found that the criminal behavior of male and female gang members differed. A higher proportion of male crimes were violent offenses (51% compared with 32% for females), while a higher proportion of female crimes were property offenses (43% compared with 15% for males). About 10% of male and female crimes were drug-related offenses.

15% of students reported gangs existed in their schools

The 1989 School Crime Supplement to the National Crime Victimization Survey interviewed a nationally representative sample of students ages 12–19. Twenty-five percent of students in central cities reported gangs in their schools, compared with 8% in non-metropolitan areas. In schools where gangs were present, students were twice as likely to fear attack in school (35% vs. 18%) and in going to and from school (24% vs. 12%). The 15% of the students who reported gangs in their schools were also more likely than other students to be the victims of crime (12% compared with 8%).

Increase in homicides by juveniles is tied to the use of guns

The FBI is a primary source of information on homicide

The FBI's *Supplementary Homicide Reports* provide data on offenders as well as victims. In 29% of homicides that occurred between 1976 and 1991, the identity of the perpetrator was unknown, at least at the time the reports were completed by law enforcement authorities. From the large majority of homicides in which the offender is known, however, a profile of juveniles who murder can be developed and trends in juvenile homicide can be examined.

The growth in homicides involving juvenile offenders has surpassed that among adults

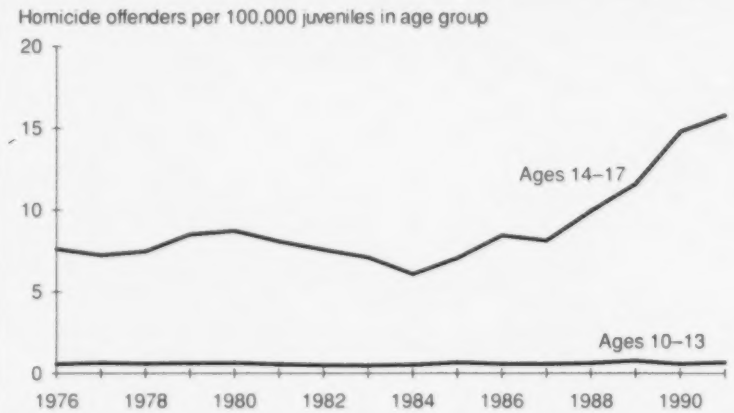
From 1976 to 1991, nearly 23,000 persons under age 18 were known perpetrators of homicide in the U.S., an average of more than 1,400 per year. Moreover, the number of known juvenile homicide offenders has more than doubled in recent years, from 969 in 1984 to 2,202 in 1991, while the number of adult offenders increased 20% over the same period.

The trends in homicide for male and female juveniles are quite different. Controlling for population changes, homicides by male juveniles have more than doubled in number since the mid-1980's, whereas those by female juveniles have remained steady in recent years.

Between 1976 and 1991, 9 in 10 juvenile murderers were male, and about half were white

Most juvenile homicide offenders are male (91%). Boys are 10 times more likely to commit homicide than girls.

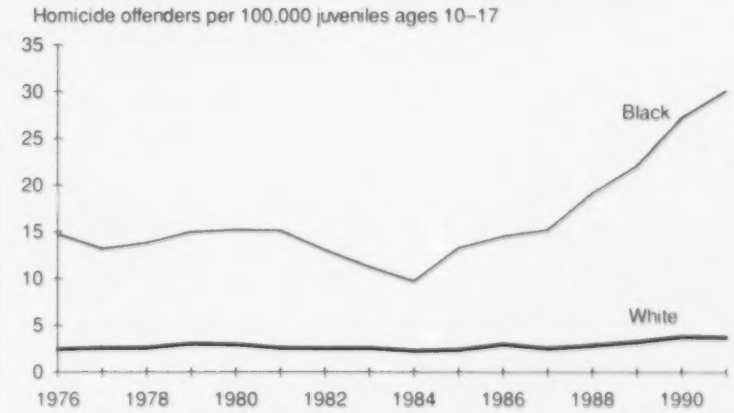
The homicide offending rate for 14–17-year-olds increased substantially in recent years, while the rate for younger juveniles remained constant



- Between 1984 and 1991 the rate at which juveniles ages 14 to 17 committed murder increased 160%.

Source: FBI. (1993). *Supplementary homicide reports 1976–1991* [machine-readable data files].

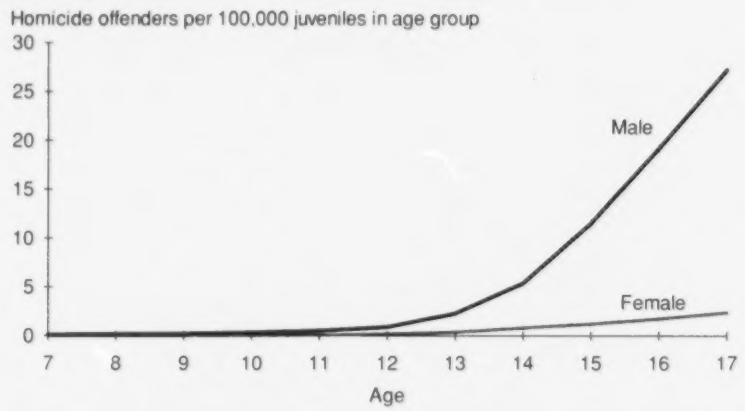
The homicide offending rate for black juveniles is substantially higher than the rate for white juveniles and has risen sharply in recent years



- Between 1984 and 1991 the rate at which white juveniles committed murder increased by 64%, while the black juvenile murder rate increased 211%.

Source: FBI. (1993). *Supplementary homicide reports 1976–1991* [machine-readable data files].

The disparity between juvenile male and female homicide offending rates increases with age

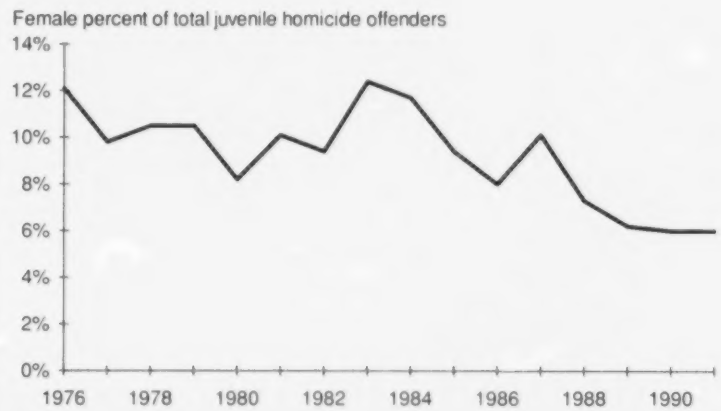


- At age 13 the male homicide rate is 6.3 times greater than the female rate; by age 17 the male rate is 11.5 times greater.

Note: Rates are based on the 1976–1991 combined average.

Source: FBI. (1993). *Supplementary homicide reports 1976–1991* [machine-readable data files].

The female proportion of juvenile homicide offenders declined between 1987 and 1991



- While the female proportion of juvenile offenders declined between 1976 and 1991, the number of female juvenile homicide offenders remained relatively constant.

Source: FBI. (1993). *Supplementary homicide reports 1976–1991* [machine-readable data files].

The rate of homicide offending increases throughout adolescence. This is true for both boys and girls, but the growth during adolescence is particularly sharp for boys.

Nearly half (47%) of juvenile homicide offenders are white. However, when population differences are taken into account, black juveniles kill at a rate 6 times that of white juveniles.

In most homicides, the victim and offender are of the same race. Ninety-two percent of the victims of white juveniles are white; 76% of victims of black juveniles are black.

Boys and girls tend to kill different types of victims

The typical male juvenile homicide offender kills a friend or acquaintance during an argument. Fifty-three percent killed friends or acquaintances, while 34% killed strangers. In 67% of homicides the boy used a gun, and a knife was used in another 18% of the cases.

The typical female juvenile homicide offender is nearly as likely to kill a family member (41%) as a friend or acquaintance (46%). Firearms are not used as often in female homicides as in homicides by males. While 42% of female juvenile homicide offenders used a firearm, 32% killed with a knife.

Both male and female juvenile homicide offenders tend to kill males. Eighty-five percent of boys and 70% of girls killed males (generally friends, fathers, or brothers).

Nearly one-third of juvenile murder victims are strangers

When juveniles commit homicide, most of their victims are friends or acquaintances (53%). Thirty-two percent of juvenile murder victims are strangers, and 15% are family members.

When juveniles kill strangers, generally the perpetrator is male (96%) and black (57%), uses a gun (64%), and kills during the commission of a felony (62%).

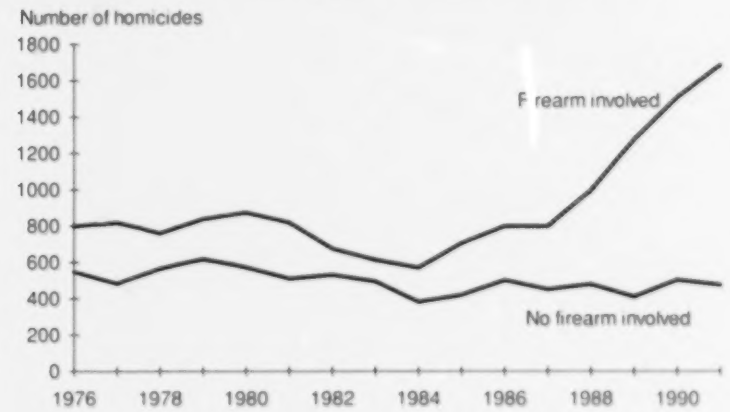
Similarly, when juveniles kill friends or acquaintances, the perpetrator is almost always male (92%), is equally likely to be white or black, kills with a firearm (62%), and is frequently motivated by an argument or brawl (45%).

In family-related incidents, the offender is usually male (75%), is more often white (64%), murders with a firearm (64%), and is motivated by an argument or brawl (51%). When juveniles commit homicide within the family, they typically kill fathers/stepfathers (30%) or brothers (17%).

Handguns accounted for the greatest proportion of homicides by juveniles from 1976 to 1991

Over the period 1976 to 1991, firearms were used by 65% of juvenile homicide offenders — 44% used handguns. The use of firearms by juvenile homicide offenders increased substantially over this period. In 1976, 59% of juvenile homicide offenders killed with a gun; by 1991 the figure was 78%.

Gun homicides by juveniles have nearly tripled since 1983, while homicides involving other weapons have actually declined



- From 1983 through 1991, the proportion of homicides in which the juvenile uses a gun increased from 55% to 78%.

Source: FBI. (1993). *Supplementary homicide reports 1976–1991* [machine-readable data files].

A growing number of juveniles kill in groups of two or more

Multiple-offender killings have more than doubled since the mid-1980's. While in a majority (77%) of homicide incidents involving juvenile offenders the offender acted alone, 14% involved 2 offenders, 6% involved 3 offenders, and 3% involved 4 or more offenders. Group killings typically involve guns (64%) or knives (17%), and often occur during the commission of other felonious acts (51%). When multiple offenders are involved they are disproportionately black (52%) and male (93%). Victims of multiple-offender homicides are as likely to be strangers as not and are more likely to be male (86%) and white (60%).

Group killings are more likely to cross racial lines than single-offender homicides. Whereas 11% of single-offender killings involve victims and offenders of different races, one-quarter of multiple-offender homicides involved victims and offenders of different races. These mixed-race group killings typically involve black offenders killing white victims (71% of all mixed-race combinations) who are strangers (76%), and often involve the element of robbery (60%).

4 in 10 high school seniors have used an illicit drug at least once — more have used alcohol or tobacco

The Monitoring the Future Study tracks the drug use of high school seniors

Since 1975 the Monitoring the Future Study (MTF), often called the High School Seniors Survey, has asked a nationally representative sample of high school seniors in public and private schools to describe their drug use patterns through self-administered questionnaires. In 1993 the survey sampled more than 16,000 seniors from 139 schools. Beginning in 1991 the survey expanded to include 8th and 10th graders. By design, MTF excludes dropouts and institutionalized, homeless, and runaway youth.

MTF collects information on the use of illicit drugs (such as marijuana, hallucinogens, cocaine, other opiates, stimulants, barbiturates, and tranquilizers not prescribed by physicians) and on alcohol and tobacco use. Annual results of this effort are commonly carried in the media and influence public perception and public policy.

Alcohol and marijuana were used on a daily basis by about 1 of every 40 high school seniors in 1993

	Proportion of seniors who used			
	in Lifetime	in Last year	in Last month	Daily*
Alcohol	87.0%	76.0%	51.0%	2.5%
Been drunk	62.5	49.6	28.9	0.9
Cigarettes	61.9	**	29.9	19.0
Marijuana/hashish	35.3	26.0	15.5	2.4
Smokeless tobacco	31.0	**	10.7	3.3
Inhalants	17.4	7.0	2.5	0.1
Stimulants	15.1	8.4	3.7	0.2
LSD	10.3	6.8	2.4	0.1
Sedatives	6.4	3.4	1.3	0.1
Tranquilizers	6.4	3.5	1.2	<0.1
Cocaine, not crack	5.4	2.9	1.2	0.1
PCP	2.9	1.4	1.0	0.1
Crack cocaine	2.6	1.5	0.7	0.1
Steroids	2.0	1.2	0.7	0.1
Heroin	1.1	0.5	0.2	<0.1

- Nearly 1 in 5 high school seniors smoked cigarettes on a regular basis, with nearly 1 in 10 smoking half a pack or more per day

* Used on 20 or more incidents in the last 30 days.

** Cigarette and smokeless tobacco use in the last year was not included in the survey.

Source: Johnston, L., O'Malley, P., and Bachman, J. (1994). *National survey results on drug use from the monitoring the future study 1975–1993.*

More than 4 in 10 seniors in 1993 reported illicit drug use

In 1993, 43% of all seniors said they had at least tried illicit drugs. Marijuana was by far the most commonly used illicit drug; in 1993, 35% of high school seniors reported they had tried marijuana. About half of those who said they had used marijuana (or 16% of all seniors) reported they had used no other illicit drug. Therefore, more than one-quarter (27%) of all seniors, or nearly two-thirds of those seniors who used illicit drugs, reported using an illicit drug other than marijuana.

While 35% of high school seniors reported using marijuana at least once, 26% reported they had used it in the past year, and 15% had used it in the previous month. A large number of seniors reported using marijuana on nearly a daily basis. MTF asks students if they had used marijuana on 20 or more occasions in the previous 30 days. In 1993, 2.5% of high school seniors said they used marijuana this frequently.

Seventeen percent of high school seniors have used inhalants, making inhalants the second most prevalent illicit drug after marijuana. Stimulants are the next most prevalent drug; 15% of seniors reported they had used stimulants. However, stimulants rank second to marijuana in terms of current use, as many of the early users of inhalants have since discontinued their use.

In 1993 about 1 in 16 high school seniors (6.1%) reported that they have used cocaine. Half of this group (3.3%) reported that they used it in the previous year, and about one-fifth of users (1.3% of high school seniors) reported use in the preceding 30 days. About 1 in 40 high school seniors reported previous use of crack cocaine; about 1 in 70 had used it in the previous year, and about 1 in 150 had used crack in the previous month.

Heroin was the least commonly used illicit drug, with 1.1% of high school seniors reporting they had used it at least once. MTF found that a greater

proportion of younger students (1.4% of 8th graders and 1.3% of 10th graders) reported using heroin. These higher rates for younger age groups may reflect the fact that heroin users are more likely to drop out of school before their senior year.

Alcohol and tobacco are more widespread than any illicit drug

Seven of 8 high school seniors reported in 1993 that they had tried alcohol at least once; half said they had used it in the previous month. Even among 8th graders the reported use of alcohol is high — two-thirds had tried alcohol and one-quarter had used it in the month prior to the survey.

Perhaps of greater concern are the juveniles who indicate heavy drinking (defined as five or more drinks in a row) in the preceding 2 weeks; 28% of seniors, 23% of 10th graders, and 14% of 8th graders reported this behavior.

Tobacco use was less prevalent than alcohol use. In 1993, 62% of seniors and 30% of 8th graders had tried cigarettes. Thirty percent of seniors and 17% of 8th graders had smoked in the preceding month. Of more concern is the fact that 15% of high school seniors, 11% of 10th graders, and 6% of 8th graders reported they were currently smoking cigarettes on a regular basis.

Male high school seniors reported more illicit drug use than females in 1993; white seniors reported more use than black seniors

	Proportion of seniors who used in previous year				
	Male	Female	White	Black	Hispanic
Alcohol	75.9%	76.0%	79.6%	64.2%	77.2%
Been drunk	53.4	46.1	56.4	25.2	41.7
Marijuana/Hashish	29.0	22.4	25.9	14.2	23.5
Inhalants	9.2	4.8	7.6	2.2	5.7
Stimulants	8.2	8.5	9.0	2.3	6.2
LSD	8.4	5.1	7.4	0.6	5.1
Barbiturates	3.4	3.3	3.6	1.0	1.9
Tranquilizers	3.5	3.3	3.7	1.0	2.0
Crack	1.9	1.1	1.3	0.6	2.5
Cocaine, not crack	3.7	2.0	2.6	0.7	5.1
Steroids	2.5	0.1	1.2	1.1	0.9
Heroin	0.7	0.3	0.5	0.4	0.7

Note: White does not include Hispanic.

Source: Johnston, L., O'Malley, P., and Bachman, J. (1994). *National survey results on drug use from the monitoring the future study 1975–1993.*

Males are more likely than females to use drugs

Males use alcohol more frequently than females. Daily use was reported by 3.6% of males and 1.4% of females. Males were more likely to drink heavily than were females. More than 1 in 3 males and nearly 1 in 5 females reported taking five or more drinks in a row in the previous 2 weeks.

While males were more likely than females to have used marijuana in the previous year (29% vs. 22%), the proportion of males that used marijuana on a daily basis was more than double the female proportion (3.3% vs. 1.5%). The proportions of male and female high school seniors reporting any illicit drug use other than marijuana in the previous year were very similar, 18% and 16%. Males had higher annual use rates of inhalants, LSD, crack, cocaine, steroids, and heroin. Female annual use rates were similar to those of males for stimulants, barbiturates, and tranquilizers.

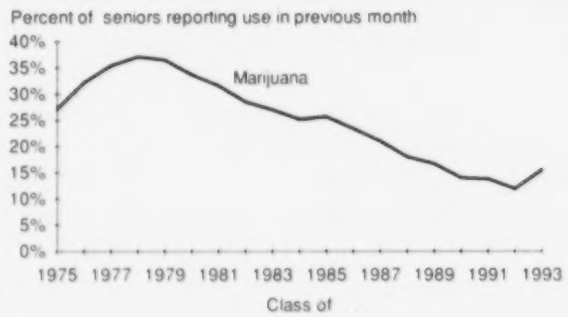
Black seniors report lower drug use rates than white seniors

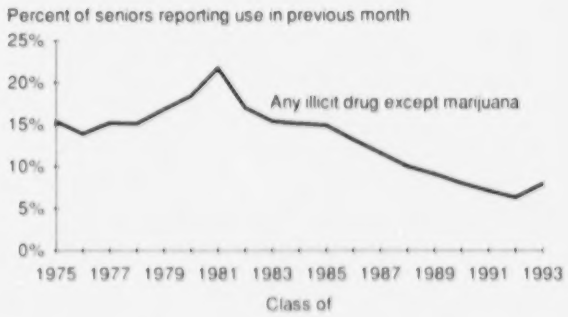
Twenty-one percent of white seniors in 1993 reported smoking on a daily basis, compared with 4% of blacks. Daily drinking among blacks was two-thirds that of whites. Whites were far more likely than blacks to have had five or more drinks in a row in the previous 2 weeks (31% vs. 13%).

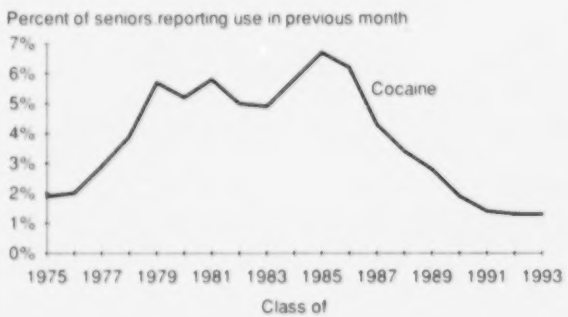
The same general pattern held for illicit drugs. The proportion of black seniors who reported using marijuana on a daily basis was one-third that of whites. Whites were 3 times as likely as blacks to say they had used cocaine in the previous month and in the previous year. White seniors were also twice as likely as blacks to have tried heroin at least once and more than 10 times as likely to have tried LSD.

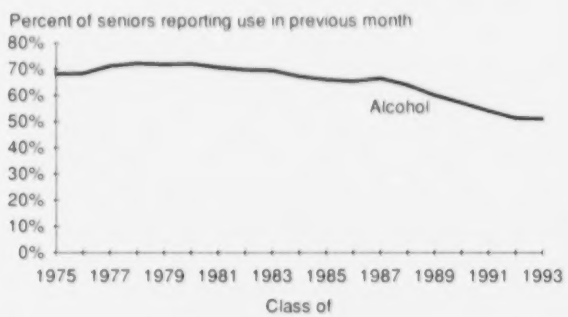
Illicit drug use by juveniles declined substantially during the 1980's

The proportion of high school seniors in 1993 who reported they had used illicit drugs in the previous month was substantially below the levels reported in the early 1980's









- High school seniors reported more marijuana use in 1978 than in any other year between 1975 and 1993. In 1978, 37% of high school seniors reported they had used marijuana in the previous month; in 1993 this proportion was cut to 15%.
- Other illicit drug use peaked in 1981. In 1981, 17% of high school seniors reported using illicit drugs other than marijuana in the previous month. By 1993 this proportion was cut to 8%.
- Cocaine use peaked in 1985 at 7%, then declined to 1% in 1993.
- Reported use of alcohol in the previous month also declined from a peak in 1978 of 72% to 51% in 1993.
- After years of continuous decline, reported drug use by high school seniors grew in some categories between 1992 and 1993. While these new levels of drug use are far from the highs of earlier years, there may be a change in the downward trend in drug use by U.S. high school seniors.

Source: Johnston, L., O'Malley, P., and Bachman, J. (1994). *National survey results on drug use from the monitoring the future study 1975–1993.*

The number of youth ages 15–20 killed in alcohol-related traffic motor vehicle crashes declined 54% from 1982 to 1992

Traffic crashes are the leading cause of death for adolescents

The National Highway Traffic Safety Administration reported that in 1992 more than 39,000 persons died in highway crashes. About 45% of these deaths were alcohol related. Preventable traffic "accidents," involving alcohol- or drug-impaired drivers and pedestrians, resulted in nearly 18,000 deaths in 1992.

In 1992, 2,452 of these alcohol-related traffic fatalities were youth ages 15–20. In fact, ***alcohol-related*** traffic crashes are the leading cause of death for adolescents and young adults — accounting for 20% of all deaths of youth ages 15–20.

The number of alcohol-related motor vehicle fatalities declined 54% between 1982 and 1992 for youth ages 15–20. Alcohol-related traffic fatalities accounted for 42% of all traffic fatalities involving these youth in 1992, which was substantially lower than the 1982 figure.

Percent of fatalities that were alcohol related:

	1982	1992
Youth 15–20	63%	42%
Adults	58	48

In 1982 a greater proportion of the youth than adult traffic fatalities were alcohol related; by 1992 the adult proportion was higher.

Alcohol-related traffic accidents caused by young people have declined

Between 1982 and 1992 the number of drivers ages 15–20 involved in crashes where someone died declined 27%, from 10,080 to 7,400. Nearly all of this decline resulted from a drop in the number of alcohol-related traffic incidents. In 1992, 26% of drivers ages 15–20 who were involved in fatal crashes were impaired or intoxicated, compared with 43% in 1982.

Similarly, the number of young drivers killed in fatal crashes declined 30% between 1982 and 1992 (from 4,526 to 3,153), with nearly all of the decline resulting from a decrease in alcohol-related traffic incidents. In 1992, 35% of drivers ages 15–20 who were fatally injured were impaired or intoxicated at the time of the incident, compared with 55% in 1982.

Raising the drinking age has had some impact on drunk driving fatalities

The proportion of drivers ages 15–20 involved in crashes who had blood alcohol concentrations at or above 0.10% declined from 31% in 1982 to 17% in 1992. From this data, the National Highway Traffic Safety Administration estimates that minimum drinking age laws have saved more than 13,000 lives since 1975.

Drivers under 21 years of age are more likely to be in a fatal alcohol-related crash than are older drivers. Among drivers ages 16 and 17 the alcohol-related fatality rate is nearly twice the rate for drivers age 25 and older. The rate for drivers ages 18–20 is nearly 3 times the rate for older adults.

Young drivers are arrested for driving under the influence at rates lower than expected

According to FBI estimates, there were more than 1.6 million arrests made in 1992 for driving under the influence.

Blood Alcohol Concentration

In most States a blood alcohol concentration (BAC) of 0.10% is considered legal intoxication for all drivers. At least nine States have lowered the BAC threshold to 0.08%. Impaired drivers with a BAC of 0.15% or higher are 26 times more likely to have a fatal crash than are sober drivers. The BAC of those arrested for driving under the influence is, on average, greater than 0.15%. This is the equivalent of 10–12 drinks in a 4-hour period.

The legal drinking age is now 21 in all States and the District of Columbia. In 1994, 22 States and the District of Columbia had set lower illegal blood alcohol concentrations for persons under age 18. Most have set this blood alcohol level at 0.02%.

One might expect that these arrests would be distributed by driver age in a pattern similar to the age pattern for drunk driving overall.

To the contrary, young drivers are being arrested for driving under the influence, nationally, at rates that are far below their incidence in alcohol-related crashes. Drivers under age 21 account for 14% of all fatally injured drivers with a blood alcohol concentration at or above the 0.10% level, yet make up only 1% of all arrests for driving under the influence.

Across the country, the number of driving-under-the-influence arrests per drunk drivers killed is higher for 18–20-year-olds than for 16- and 17-year-olds. Higher still is the number of arrests per drunk drivers killed for adults age 25 and older.

Does substance abuse lead to delinquency?

There are patterns in the sequencing of delinquency and substance abuse

It has been consistently found that:

- Alcohol use precedes marijuana use.
- Marijuana use precedes hard drug use.
- Minor delinquency generally precedes more serious behavior.

However, these findings do not necessarily imply causal connections. Researchers believe that delinquency and substance abuse are caused by the same underlying factors, rather than one causing the other.

The initiation of delinquency and the initiation of substance abuse appear to be independent events

Huizinga, Menard, and Elliott reviewed the findings of the National Youth Survey to investigate the links between delinquency and substance abuse. They found that the onset of minor delinquency in a child's life generally occurs prior to the onset of alcohol use. Thus alcohol use cannot be a cause for the onset of delinquency. Similarly, since serious offending generally begins prior to the use of marijuana and hard drugs, their use cannot be viewed as a cause for the initiation of more serious delinquency.

A study of 7th grade boys found that the proportion committing delinquent acts increased with more serious substance use

	Percent who ever committed delinquent acts			
Delinquent act	No use	Beer, wine, or tobacco	Liquor	Marijuana
Ran away	6%	10%	14%	32%
Truant	11	28	61	74
Damaged property	6	22	46	64
Set fires	1	7	8	17
Burglary	3	10	12	43
Stole more than $50	?	2	5	34
Shoplifted	12	32	47	74
Stole car	1	4	9	34
Assault w/ weapon	3	6	9	30
Hit to hurt	26	45	65	74
Gang fight	9	13	21	47
Had sex	20	25	32	61

Source: Van Kammen, A., Loeber, R., and Stouthamer-Loeber, M. (1991). Substance use and its relationship to conduct problems and delinquency in young boys. *Journal of youth and adolescence.*

The sequencing of minor delinquency to alcohol use, to more serious offending, to marijuana and hard drug use most likely reflects overlapping, independent, and developmentally determined delinquency and substance abuse patterns. Drug use does not cause the initiation of delinquent behavior, nor delinquent behavior the initiation of drug use. However, they may have the same root causes, such as family background, family structure, peer associations, peer influences, school history, psychosocial attributes, interpersonal traits, unemployment, and social class.

Drug use seems to prolong involvement in delinquency once the behavior has begun

Generally the more serious a youth's involvement in delinquency, the more serious his or her involvement is with drugs. Changes in drug use have been shown to produce large changes in delinquent behavior, while changes in delinquency have been shown to have a smaller impact on changes in drug use. Consequently, it seems that increases in substance abuse may lead to increases in delinquent behavior. However, increases in delinquent behavior generally has only a small impact on the level of substance abuse.

1 in 3 juvenile detainees were under the influence of drugs at the time of their offense

Juveniles in delinquent institutions report extensive drug use

The 1987 Survey of Youth in Custody interviewed juveniles in long-term, State-operated institutions. Eighty-one percent of these inmates reported having used drugs at some point in their lifetime; 79% had tried marijuana, 43% cocaine, 38% amphetamines, 28% barbiturates, and 27% LSD. Three in 5 youth in custody reported having used at least one drug regularly.

The Survey of Youth in Custody also found that 48% of the juvenile inmates reported being under the influence of drugs or alcohol while committing the offense for which they were institutionalized. Most were under the influence of drugs — 9% of juveniles in custody said they were under the influence of no drugs other than alcohol at the time of their offense. The proportion of juveniles in custody who reported being under the influence of drugs or alcohol varied with the nature of the offense.

Percent who said they were under the influence of drugs or alcohol at the time of their offense:

Murder	43%
Rape	34
Robbery	51
Assault	49
Burglary	53
Larceny/theft	49
Motor vehicle theft	45
Drug possession	59
Drug trafficking	56

Source: BJS. (1989). *Correctional populations in the United States, 1987.*

White juveniles in custody were more likely than blacks to report being under the influence of illicit drugs at the time of their offense

	Percent of juveniles who committed current offense under the influence of drugs		
	All races[a]	White	Black
Any illicit drug[b]	39%	51%	24%
Marijuana	32	40	21
Cocaine	13	17	8
Amphetamines	6	10	2

[a] Includes American Indians, Alaskan Natives, Asians, and Pacific Islanders.

[b] Includes illicit drugs other than those detailed.

Source: BJS. (1989). *Correctional populations in the United States, 1987.*

Delinquency rates are higher for those who sell drugs than those who use drugs

A self-report study of 9th and 10th grade boys in Washington, DC, conducted by Altschuler and Brounstein in 1988 found that those who had not used drugs reported the least involvement in law-violating behavior. Those who sold drugs reported higher delinquency rates than those who used drugs. For example, juvenile drug sellers were more likely to have carried concealed weapons and to have committed violent offenses than were juveniles who only used drugs or juveniles who were drug free.

Moreover, this study found that those who both sold and used drugs had delinquency rates similar to those who just sold drugs. Therefore, it appears that involvement in drug trafficking results in higher delinquency rates, regardless of whether the juvenile is a user or not.

The crime most commonly committed under the influence of drugs was burglary. Of those that reported committing burglary, 32% reported they were under the influence of drugs at the time. Of those who reported drug selling, 26% reported doing so while under the influence of drugs. The crimes committed most often to obtain drugs were drug selling (36%), serious assault (24%), burglary (24%), and robbery (19%). Implicit in these findings is that the majority of juveniles who commit crimes do so for reasons completely independent of drugs.

One-third of juveniles entering detention centers test positive for at least one drug

NIJ's Drug Use Forecasting (DUF) program monitors drug use among a high-risk group of juveniles, those arrested or detained by the justice system. Unlike other efforts, the DUF program does not rely on self-reports to assess drug use. In 1993 in 12 sites, males held in a detention center for less than 48 hours were asked to anonymously provide urine specimens for laboratory analysis.

Overall, the 12 sites in 1993 reported that between 18% and 54% of juveniles tested positive for at least one illicit drug. The average proportion of positive tests was 33%. This is substantially above the 1992 average of 25%. At most sites, the overall increase resulted from an increase in marijuana use.

The level of marijuana use in 1993 ranged from 14% to 51% of the juveniles tested, with an average value of 26%. This was substantially above the 1992 average of 16.5%. With few exceptions, levels of cocaine were unchanged from 1992 to 1993. In 1993 the average proportion of juveniles that tested positive for cocaine was 6.5%. Opiate use in these high-risk males remained at relatively low levels in 1993, with none of the sites reporting more than 2% of their juveniles testing positive for opiates. The percentage of juveniles testing positive for more than one drug ranged from 1% to 14%, with an average value of 7.5%, and representing a small increase over 1992.

Drug use is related to school attendance

In most sites the cocaine use of those attending school was less than half that of those not attending school. Among those not attending school, the proportion of juveniles testing positive for cocaine ranged from 3% to 46%, while positive tests for those in school ranged from 1% to 17%. In contrast, the rates of marijuana use among those attending school approached the level of those not attending school.

Cities vary substantially on the proportion of their juvenile offenders that test positive for marijuana

City	Offense charged				
	Any	Violent	Property	Drug	Other
Birmingham, AL	22	19	12	38	30
Cleveland, OH	27	23	26	30	29
Denver, CO	51	44	46	n/a	53
Indianapolis, IN	18	19	13	48	16
Los Angeles, CA	24	21	22	33	26
Phoenix, AZ	31	28	26	68	33
Portland, OR	14	7	19	n/a	13
St. Louis, MO	16	22	7	26	12
San Antonio, CA	30	24	21	62	34
San Diego, CA	35	29	37	46	36
San Jose, CA	25	24	18	50	27
Washington, DC	47	45	35	63	39

- In most cities juveniles charged with a violent offense were no more likely than other offenders to test positive for marijuana.

Source: NIJ. (1994). Drug use forecasting: 1993 annual report on juvenile arrestees/detainees. *Research in Brief.*

Juvenile arrestees/detainees charged with a drug offense were the most likely to test positive for cocaine in all cities

City	Offense charged				
	Any	Violent	Property	Drug	Other
Birmingham, AL	5	4	1	29	4
Cleveland, OH	18	16	8	36	16
Denver, CO	8	6	4	n/a	8
Indianapolis, IN	2	0	1	8	2
Los Angeles, CA	13	11	8	25	16
Phoenix, AZ	8	7	8	24	4
Portland, OR	4	2	4	n/a	2
St. Louis, MO	6	5	2	21	4
San Antonio, CA	7	4	6	12	7
San Diego, CA	6	3	5	29	6
San Jose, CA	4	2	5	8	4
Washington, DC	7	4	5	14	5

Source: NIJ. (1994). Drug use forecasting: 1993 annual report on juvenile arrestees/detainees. *Research in Brief.*

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Chapter 4

Juvenile justice system structure and process

The juvenile justice system is a relatively new development. The first juvenile court was established less than 100 years ago. In the past 30 years the system has gone through significant modifications, based on Supreme Court decisions and Federal legislation, as well as changes in State legislation. While some differences between the criminal and juvenile justice systems have diminished in recent years, the juvenile system is unique, guided by its own philosophy and legislation and implemented by its own set of agencies.

This chapter describes the juvenile justice system, focusing on structure and process features that relate to delinquency and status offense matters. (The handling of child maltreatment matters is discussed in the chapter on victims.) Sections in this chapter compare and contrast the juvenile and adult systems, document State variations in legislation, and describe the system's processing of cases. In addition, a section presents the significant Supreme Court decisions that in recent years have shaped the modern juvenile justice system. Much of the information was drawn from the National Center for Juvenile Justice's Automated Juvenile Law Archive statutes analyses.

Acknowledgments

This chapter was written by Melissa Sickmund. Howard Snyder contributed the section describing how cases flow through the juvenile justice system. Jeffrey Butts prepared the summaries of the Supreme Court decisions and contributed to the section on provisions for transferring juveniles to criminal court. The initial concept for the "common ground" section was developed by Richard Gable. Contributions were also made by John Wilson, Linda Szymanski, and Hunter Hurst, IV.

The juvenile justice system was founded on the concept of rehabilitation through individualized justice

Early in U.S. history, children who broke the law were treated the same as adult criminals

Throughout the late 18th century "infants" below the age of reason, traditionally age 7, were presumed to be incapable of criminal intent and were, therefore, exempt from prosecution and punishment. Children as young as 7 could stand trial in criminal court for offenses committed and if found guilty, could be sentenced to prison, or even to death.

The 19th century movement that led to the establishment of the juvenile court had its roots in 16th-century European educational reform movements. These earlier reform movements changed the perception of children from one of miniature adults to one of persons with less than fully developed moral and cognitive capacities.

The Society for the Prevention of Juvenile Delinquency was advocating the separation of juvenile and adult offenders as early as 1825. Soon, facilities exclusively for juveniles were established in most major cities. By mid-century, these privately operated youth "prisons" were criticized for various abuses. Many States then took on the responsibility of operating juvenile facilities.

The first juvenile court in this country was established in Cook County, Illinois, in 1899

Illinois passed the Juvenile Court Act of 1899, which established the Nation's first juvenile court. The British doctrine of *parens patriae* (the State as parent) was the rationale for the right of the State to intervene in the lives of children in a manner different from the way it intervenes in the lives of adults.

John Augustus — planting the seeds of juvenile probation (1847)

I bailed nineteen boys, from 7 to 15 years of age, and in bailing them it was understood, and agreed by the court, that their cases should be continued from term to term for several months, as a season of probation; thus each month at the calling of the docket, I would appear in court, make my report, and thus the cases would pass on for 5 or 6 months. At the expiration of this term, twelve of the boys were brought into court at one time, and the scene formed a striking and highly pleasing contrast with their appearance when first arraigned. The judge expressed much pleasure as well as surprise at their appearance, and remarked, that the object of law had been accomplished and expressed his cordial approval of my plan to save and reform.

The doctrine was interpreted as the inherent power and responsibility of the State to provide protection for children whose natural parents were not providing appropriate care or supervision because children were not of full legal capacity. A key element was the focus on the welfare of the child. Thus, the delinquent child was also seen as in need of the court's benevolent intervention.

Juvenile courts flourished for the first half of the 20th century

By 1910, 32 States had established juvenile courts and/or probation services. By 1925, all but two States had followed suit. Rather than merely punishing juvenile crime, juvenile courts sought to turn delinquents into productive citizens — through treatment.

The mission to help children in trouble was stated clearly in the laws that established juvenile courts. This benevolent mission led to procedural and substantive differences between the juvenile and criminal justice systems.

During the next 50 years most juvenile courts had exclusive original jurisdiction over all youth under age 18 charged with violating criminal laws. Only if the juvenile court waived its jurisdiction in a case could a child be transferred to criminal court and tried as an adult. The transfer decision was made on a case-by-case basis when in the "best interests of the child and public" — and was thus within the realm of individualized justice.

The focus on offenders and not offenses, on rehabilitation and not punishment, had substantial procedural impact

Unlike the criminal justice system where district attorneys select cases for trial, the juvenile court controlled its own intake. And unlike criminal prosecutors, juvenile court intake considered extra-legal as well as legal factors in deciding how to handle cases. Juvenile court intake also had discretion to handle cases informally, bypassing judicial action.

In the court room, juvenile court hearings were much less formal than criminal court proceedings. In this benevolent court — with the express purpose of protecting children — due process protections afforded criminal defendants were deemed unnecessary.

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In the early juvenile courts, and even in some to this day, attorneys for the State and the youth are not considered essential to the operation of the system, especially in less serious cases.

A range of dispositional options was available to a judge wanting to help rehabilitate a child. Regardless of offense, outcomes ranging from warnings to probation supervision to training school confinement could be part of the treatment plan. Dispositions were tailored to "the best interests of the child." Treatment lasted until the child was "cured" or became an adult (age 21), whichever came first.

Some juvenile codes emphasize prevention and treatment goals, some stress punishment, and others seek a balanced approach

Philosophical goals stated in juvenile code purpose clauses

Prevention/ Diversion/Treatment	Punishment	Both
Florida	Arkansas	Alabama
Idaho	Georgia	California
Kentucky	Hawaii	Colorado
New Hampshire	Illinois	Delaware
New Mexico	Iowa	Indiana
North Carolina	Kansas	Maryland
North Dakota	Louisiana	Massachusetts
Ohio	Minnesota	Nevada
Pennsylvania	Mississippi	Oklahoma
South Carolina	Missouri	Utah
Tennessee	New Jersey	Washington
Vermont	Oregon	
West Virginia	Rhode Island	
Wisconsin	Texas	

- Most juvenile codes contain a purpose clause that outlines the philosophy underlying the code.
- Most States seek to protect the interests of the child, the family, the community or some combination of the three.
- Nearly all States also indicate that the code includes protections of the child's constitutional and statutory rights.

Note: Juvenile codes in States not listed did not contain a purpose clause.

Source: Szymanski, L. (1991). *Juvenile code purpose clauses.*

As public confidence in the treatment model waned, due process protections were introduced

In the fifties and sixties many came to question the ability of the juvenile court to succeed in rehabilitating delinquent youth. The development of treatment techniques available to juvenile justice professionals never reached the desired levels of effectiveness. Although the goal of rehabilitation through individualized justice — the basic philosophy of the juvenile justice system — was not in question, professionals were concerned about the growing number of juveniles institutionalized indefinitely in the name of treatment.

In a series of decisions beginning in the 1960's the Supreme Court required that juvenile courts become more formal — more like criminal courts. Formal hearings were now required in waiver situations, and delinquents facing possible confinement were given protection against self-incrimination and rights to receive notice of the charges against them, to present witnesses, to question witnesses, and to have an attorney. Proof "beyond a reasonable doubt" was now required for an adjudication rather than merely "a preponderance of evidence." However, the Supreme Court still held that there were enough "differences of substance between the criminal and juvenile courts ... to hold that a jury is not required in the latter."

Meanwhile Congress, in the Juvenile Delinquency Prevention and Control Act of 1968, recommended that children charged with noncriminal (status) offenses be handled outside the court system. A few years later the Juvenile Justice and Delinquency Prevention Act of 1974 was passed. It required deinstitutionalization of status offenders and nonoffenders as well as the separation of juvenile delinquents from adult offenders as a condition for State participation in the Formula Grant Program. (In the 1980 amendments to the 1974 Act Congress added a requirement that juveniles be removed from adult jail and lockup facilities.) Community-based programs, diversion, and deinstitutionalization became the banners of juvenile justice policy in the 1970's.

The pendulum swung toward law and order in the 1980's

During the 1980's the public perceived that serious juvenile crime was increasing and that the system was "soft" on offenders. Although the perceived increase in juvenile crime was largely a misperception, many States responded by passing "get tough" laws. Some laws removed classes of offenders from the juvenile justice system and handled them as adult *criminals in criminal court*.

Others required the juvenile justice system to be more like the criminal justice system and to treat certain classes of juvenile offenders as *criminals in juvenile court*.

As a result, offenders charged with certain offenses are *excluded* from juvenile court jurisdiction or face *mandatory* or *automatic waiver* to criminal court. In some States prosecutors are given the discretion to file certain juvenile cases directly in criminal court rather than juvenile court under *concurrent jurisdiction* provisions. In other States some juvenile offenders face *mandatory sentences*.

Many States added to the purpose clauses of their juvenile codes phrases such as:

- Accountable for criminal behavior.
- Provide effective deterrents.
- Protection of the public from criminal activity.
- Punishment consistent with the seriousness of the crime.

The mandates of the Juvenile Justice and Delinquency Prevention Act primarily address custody issues

The Juvenile Justice and Delinquency Prevention Act of 1974 as amended establishes four custody-related mandates.

- The "deinstitutionalization of status offenders and nonoffenders" mandate (1974) specifies that juveniles not charged with acts that would be crimes for adults "shall not be placed in secure detention facilities or secure correctional facilities."
- The "jail and lockup removal" mandate (1980) specifies that juveniles charged with criminal acts (delinquents) "shall not be detained or confined in any institution in which they have contact with adult [inmates]." There are, however, some exceptions to the jail removal mandate. For example, a juvenile may be held in a secure adult facility if the juvenile has been charged in criminal court with a felony offense.
- The "sight and sound separation" mandate (1974) states that juveniles may not have (regular) contact with adult offenders. This has been interpreted to require that the juvenile and adult inmates cannot see each other and no conversation between them is possible.
- The "disproportionate confinement of minority youth" mandate (1992) requires that States determine the existence and extent of the problem in their State and demonstrate efforts to reduce it where it exists.

States must comply with the mandates to receive Formula Grant funds under the Act's provisions. The Formula Grants Program is administered by OJJDP. Participation in the Formula Grants Program is voluntary, but to be eligible, States must submit plans outlining their strategy for meeting the mandates and other statutory plan requirements.

As of 1994, 55 of the 57 eligible States and territories are participating in the Formula Grants Program. Annual State monitoring reports show that the vast majority of States and Territories are in compliance with the mandates, either reporting no violations or meeting *de minimis* or other established criteria.

Comparison of 1991 monitoring data (the most recent complete data available) and baseline data show a 98% reduction in the number of violations of the deinstitutionalization of status offenders mandate — from more than 170,000 violations to the current level of fewer than 4,000. Jail removal violations have declined 91% — from nearly 160,000 to fewer than 15,000. Sight and sound separation violations have dropped 90% — from about 85,000 to fewer than 9,000.

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States vary in who they define as a juvenile

State statutes define which persons are under the original jurisdiction of the juvenile court

These definitions are based primarily on age criteria. In most States, the juvenile court has original jurisdiction over all persons charged with a law violation who were below the age of 18 at the time of either the offense, arrest, or referral to court. Since 1975 only two States have changed their age criteria. Alabama increased its upper age from 15 in 1975, to 16 in 1976, and to 17 in 1977. In 1993 Wyoming reduced its upper age of original juvenile court jurisdiction from 18 to 17.

Many States have statutory exceptions to this basic age criteria. The exceptions, related to the youth's age, alleged offense, and/or prior court history, place youth involved in more serious matters under the original jurisdiction of the criminal court.

In some States, a combination of the youth's age, offense, and prior record places the youth under the original jurisdiction of both the juvenile and criminal courts. In these situations where the courts have concurrent jurisdiction, the prosecutor is given the authority to decide which court will initially handle the case.

In most States, juvenile court authority over a youth may extend beyond the upper age of original jurisdiction

In these States the juvenile court may order the youth to a term of probation or confinement in a juvenile facility extending from 1 to 6 years beyond the upper age of original court jurisdiction. Through this mechanism, the legislature enables the court to provide sanctions and services for a duration of time that is in the best interests of the juvenile and the public, even for older juveniles who have reached the age at which original juvenile court jurisdiction ends.

The upper age of juvenile court jurisdiction in delinquency matters is defined by State statute — in most States the upper age is 17

Oldest age for original juvenile court jurisdiction in delinquency matters

15	16	17		
Connecticut	Georgia	Alabama	Kansas	Ohio
New York	Illinois	Alaska	Kentucky	Oklahoma
North Carolina	Louisiana	Arizona	Maine	Oregon
	Massachusetts	Arkansas	Maryland	Pennsylvania
	Michigan	California	Minnesota	Rhode Island
	Missouri	Colorado	Mississippi	South Dakota
	South Carolina	Delaware	Montana	Tennessee
	Texas	District of Columbia	Nebraska	Utah
		Florida	Nevada	Vermont*
		Hawaii	New Hampshire	Virginia
		Idaho	New Jersey	Washington
		Indiana	New Mexico	West Virginia
		Iowa	North Dakota	Wisconsin
				Wyoming

- Many States have higher upper ages of juvenile court jurisdiction in status offense, abuse, neglect, or dependency matters — often through age 20.
- In many States the juvenile court has jurisdiction over young adults who committed offenses while juveniles.
- Several States also have minimum ages of juvenile court jurisdiction in delinquency matters — ranging from 6 to 12.
- Many States exclude married or otherwise emancipated juveniles from juvenile court jurisdiction.

* In Vermont the juvenile and criminal courts have concurrent jurisdiction over all 16- and 17-year-olds.

Source: Szymanski, L. (1995). *Upper age of juvenile court jurisdiction statutes analyses (1994 update).* Szymanski, L. (1995). *Lower age of juvenile court jurisdiction (1994 update).*

Oldest age over which the juvenile court may retain jurisdiction for disposition purposes in delinquency matters

Age	States
17	Arizona, New Hampshire, North Carolina
18	Alaska, Kentucky, Iowa, Nebraska, Oklahoma, Tennessee
19	Mississippi, North Dakota, West Virginia
20	Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, Nevada, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, Washington, Wyoming
24	California, Wisconsin
36	Massachusetts
56	Texas
Until the full term of the disposition order	Colorado, Hawaii, New Jersey

Note: Extended ages of jurisdiction may be restricted to certain offenses or juveniles (such as violent offenses, habitual offenders, and juveniles under correctional commitment).

Source: Szymanski, L. (1995). *Extended age of juvenile court delinquency jurisdiction statutes analysis (1994 update).*

The juvenile justice system differs from the criminal justice system in the handling of offenders, but there is a common ground

The juvenile justice system grew out of the criminal justice system

After working within the criminal justice system, designers of the juvenile justice system constructed a new process to respond to delinquent youth that retained many of the components of the criminal justice system. An understanding of what was retained and what was changed leads to an understanding of the basic differences between the two systems as they exist today.

During its nearly 100-year history, the juvenile justice system in the United States has seen fundamental changes in some aspects of process and philosophy. Recently there has been much discussion about the possibility of essentially merging the juvenile and criminal systems. An understanding of similarities and differences of the criminal and juvenile justice systems will help to understand the implications of the proposed changes.

Generalizations can be made about the distinctions between the juvenile and criminal justice systems and their common ground, although the two systems are more alike in some jurisdictions than in others

Juvenile justice system	Common ground	Criminal justice system
	Operating Assumptions	
■ Youth behavior is malleable. ■ Rehabilitation is usually a viable goal. ■ Youth are in families and not independent.	■ Community protection is a primary goal. ■ Law violators must be held accountable. ■ Constitutional rights apply.	■ Sanctions proportional to the offense. ■ General deterrence works. ■ Rehabilitation is not a primary goal.
	Prevention	
■ Many specific delinquency prevention activities (e.g., school, church, recreation). ■ Prevention intended to change individual behavior — often family focused.	■ Educational approaches to specific behaviors (drunk driving, drug use).	■ Generalized prevention activities aimed at deterrence (e.g., Crime Watch).
	Law Enforcement	
■ Specialized "juvenile" units. ■ Some additional behaviors prohibited (truancy, running away, curfew violations). ■ Limitations on public access to information.	■ Jurisdiction involves full range of criminal behavior. ■ Constitutional and procedural safeguards exist. ■ Both reactive and proactive (targeted at offense types, neighborhoods, etc.).	■ Open public access to all information.
↓		↓
Diversion — A significant number of youth are diverted away from the juvenile justice system — often *into* alternative programs.		**Discretion** — Law enforcement exercises discretion to divert offenders *out of* the criminal justice system.

Juvenile justice system	Common ground	Criminal justice system
	Intake — Prosecution	
■ In many instances, juvenile court intake, not the prosecutor, decides what cases to file. ■ Decision to file a petition for court action is based on both social and legal factors. ■ A significant portion of cases are diverted from formal case processing. ↓ **Diversion** — Intake diverts cases from formal processing to services operated by the juvenile court or outside agencies.	■ Probable cause must be established. ■ Prosecutor acts on behalf of the State.	■ Plea bargaining is common. ■ Prosecution decision based largely on legal facts. ■ Prosecution is valuable in building history for subsequent offenses. ↓ **Discretion** — Prosecution exercises discretion to withhold charges or divert offenders out of the criminal justice system.
	Detention — Jail/lockup	
■ Juveniles may be detained for their own or the community's protection. ■ Juveniles may not be confined with adults without "sight and sound separation."	■ Accused offenders may be held in custody to ensure their appearance in court.	■ Right to apply for bond.
	Adjudication — Conviction	
■ Juvenile court proceedings are "quasi-civil" — not criminal — may be confidential. ■ If guilt is established, the youth is adjudicated delinquent regardless of offense. ■ Right to jury trial not afforded in all States.	■ Standard of "proof beyond a reasonable doubt" is required. ■ Rights to a defense attorney, confrontation of witnesses, remain silent are afforded. ■ Appeals to a higher court are allowed.	■ Constitutional right to a jury trial is afforded. ■ Guilt must be established on individual offenses charged for conviction. ■ All proceedings are open.
	Disposition — Sentencing	
■ Disposition decisions are based on individual and social factors, offense severity, and youths' offense history. ■ Dispositional philosophy includes a significant rehabilitation component. ■ Many dispositional alternatives are operated by the juvenile court. ■ Dispositions cover a wide range of community-based and residential services. ■ Disposition orders may be directed to people other than the offender (e.g., parents). ■ Disposition may be indeterminate — based on progress.	■ Decision is influenced by current offense, offending history, and social factors. ■ Decision made to hold offender accountable. ■ Victim considered for restitution and "no contact" orders. ■ Decision may not be cruel or unusual.	■ Sentencing decision is primarily bound by the severity of the current offense and offender's criminal history. ■ Sentencing philosophy is based largely on proportionality and punishment. ■ Sentence is often determinate based on offense.
	Aftercare — Parole	
■ A function that combines surveillance and reintegration activities (e.g., family, school, work).	■ A system of monitoring behavior upon release from a correctional setting. ■ Violation of conditions can result in reincarceration.	■ Primarily a surveillance and reporting function to monitor illicit behavior.

Young law violators generally enter the juvenile justice system through law enforcement

Each State's processing of law violators is unique

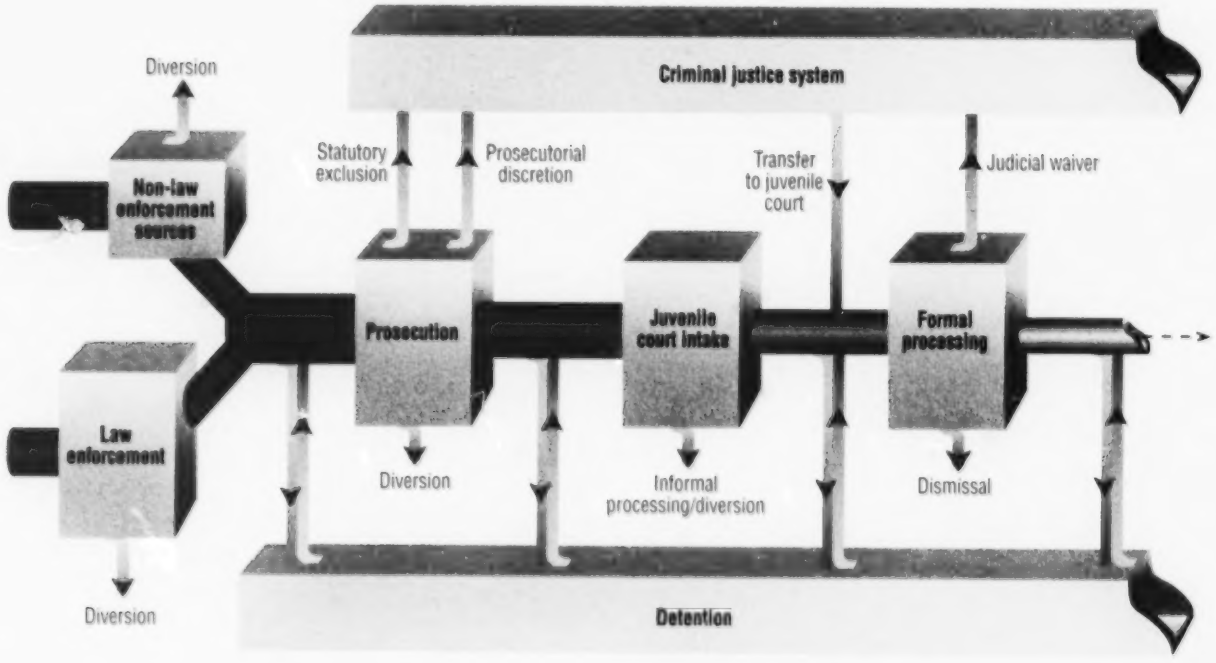
Even within States, case processing often varies from community to community depending on local practice and tradition. Consequently, any description of juvenile justice processing must be general, outlining a common series of decision points.

Law enforcement diverts many juvenile offenders out of the justice system

At arrest, a decision is made either to send the matter further into the justice system or to divert the case out of the system, often into alternative programs. Usually law enforcement makes this decision, after talking to the victim, the juvenile, and the parents, and after reviewing the juvenile's prior contacts with the juvenile justice system. Thirty percent of all juveniles arrested in 1992 were handled within the police department and then released. Two-thirds of arrested juveniles were referred to juvenile court.

Federal regulations discourage holding juveniles in adult jails and lockups. If law enforcement must detain a juvenile

What are the stages of delinquency case processing in the juvenile justice system?



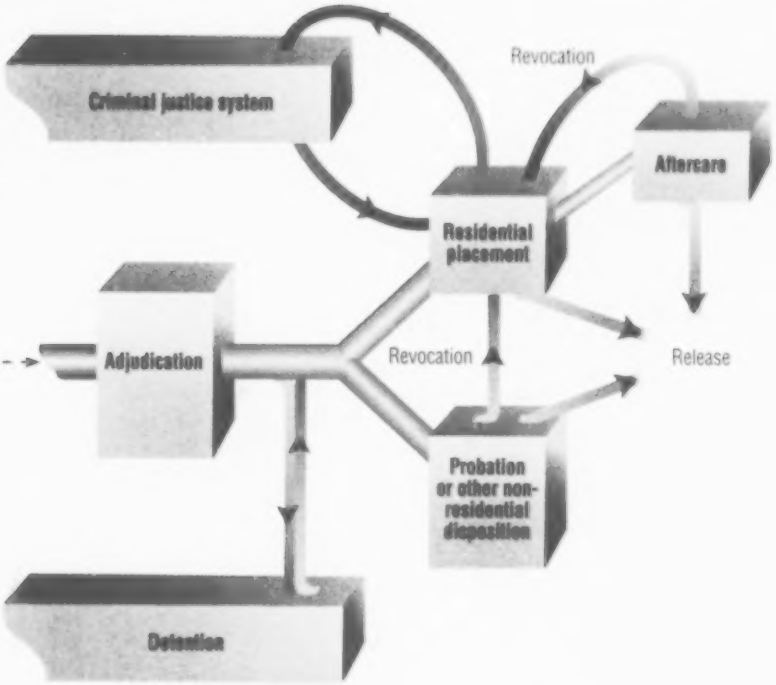
Note: This chart gives a simplified view of caseflow through the juvenile justice system. Procedures vary among jurisdictions. The weights of the lines are not intended to show the actual size of caseloads.

82 BEST COPY AVAILABLE

in secure custody for a brief period in order to contact a parent or guardian or to arrange transportation to a juvenile detention facility. Federal regulations require that the juvenile be securely detained for no longer than 6 hours and in an area that is not within sight or sound of adult inmates.

Most juvenile court cases are referred by law enforcement

Law enforcement referrals accounted for 85% of all delinquency cases referred to juvenile court in 1992. The remaining referrals were made by others such as parents, victims, schools, and probation officers.



The court intake function is generally the responsibility of the juvenile probation department and/or the prosecutor's office. At this point intake must decide either to dismiss the case, handle the matter informally, or request formal intervention by the juvenile court.

To make this decision, an intake officer first reviews the facts of the case to determine if there is sufficient evidence to prove the allegation. If there is not, the case is dismissed. If there is sufficient evidence, intake will then determine if formal intervention is necessary.

About half of all cases referred to juvenile court intake are handled informally. Most informally processed cases are dismissed. In the other informally processed cases, the juvenile voluntarily agrees to specific conditions for a specific time period. These conditions are often outlined in a written agreement, generally called a "consent decree." Conditions may include such items as victim restitution, school attendance, drug counseling, or a curfew. In most jurisdictions a juvenile may be offered an informal disposition only if he or she admits to committing the act. The juvenile's compliance with the informal agreement is often monitored by a probation officer. Consequently, this process is sometimes labeled "informal probation."

If the juvenile successfully complies with the informal disposition, the case is dismissed. If, however, the juvenile fails to meet the conditions, the intake decision may be to formally prosecute the case, and the case will proceed just as it would have if the initial decision had been to refer the case for an adjudicatory hearing.

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During the processing of a case, a juvenile may be held in a secure detention facility

Juvenile courts may hold delinquents in a secure juvenile detention facility if the court believes it is in the best interest of the community or the child. After arrest a youth is often brought to the local juvenile detention facility by law enforcement. Juvenile probation officers or detention workers review the case and decide if the juvenile should be held pending a hearing by a judge.

In all States a detention hearing must be held within a time period defined by statute, generally within 24 hours. At the detention hearing a judge reviews the case and determines if continued detention is warranted. As a result of the detention hearing the youth may be released or detention continued. In 1992 juveniles were detained in 1 in 5 delinquency cases processed by juvenile courts. Detention may extend beyond the adjudicatory and dispositional hearings. In some cases crowded juvenile facilities require that detention continue beyond adjudication until a bed becomes available in a juvenile correctional institution or treatment facility.

Prosecutors may file a case in either juvenile or criminal court

In many States prosecutors are required to file certain (generally serious) cases involving juveniles in the criminal court. These are cases in which the legislature has decided the juvenile should be handled as a criminal offender. In a growing number of States the legislature has given the prosecutor the discretion of filing a defined list of cases in either juvenile or adult court. In these States both the juvenile and adult courts have original jurisdiction over these cases, and the prosecutor selects the court that will handle the matter.

If the case is handled in juvenile court, two types of petitions may be filed: delinquency or waiver. A delinquency petition states the allegations and requests the juvenile court to *adjudicate* (or judge) the youth a delinquent, making the juvenile a ward of the court. This language differs from that used in the criminal court system (where an offender is *convicted* and sentenced).

In response to the delinquency petition, an adjudicatory hearing is scheduled. At the adjudicatory hearing (trial), witnesses are called and the facts of the case are presented. In nearly all adjudicatory hearings the determination that the juvenile was responsible for the offense(s) is made by a judge; although, in some States the juvenile is given the right to a jury trial. In 1992, juveniles were adjudicated delinquent in 57% of cases petitioned to juvenile court for criminal law violations.

Intake may ask the juvenile court to transfer the case to criminal court

A waiver petition is filed when the prosecutor or intake officer believes that a case under jurisdiction of the juvenile court would be more appropriately handled in criminal court. The court decision in these matters follows a review of the facts of the case and a determination that there is probable cause to believe that the juvenile committed the act. With this established, the court then considers whether jurisdiction over the matter should be waived and the case transferred to criminal court.

This decision generally centers around the issue of whether the juvenile is amenable to treatment in the juvenile justice system. The prosecution may argue that the juvenile has been adjudicated several times previously and that interventions ordered by the juvenile court have not kept the juvenile from committing subsequent criminal acts. The prosecutor may argue that the crime is so serious that the juvenile court is unlikely to be able to intervene for the time period necessary to rehabilitate the youth.

If the judge agrees that the case should be transferred to criminal court, juvenile court jurisdiction over the matter is waived and the case is filed in criminal court. If the judge does not approve the waiver request, an adjudicatory hearing is scheduled in juvenile court.

Between the adjudication decision and the disposition hearing, an investigation report is prepared by probation staff

Once the juvenile is adjudicated delinquent, a disposition plan is developed. To prepare this plan, probation staff develop a detailed understanding of the youth and assess available support systems and programs. To assist in preparation of disposition recommendations, the court may order psychological evaluations, diagnostic tests, or a period of confinement in a diagnostic facility.

At the disposition hearing, dispositional recommendations are presented to the judge. The prosecutor and the youth may also present dispositional recommendations. After considering options presented, the judge orders a disposition in the case.

Most cases placed on probation also receive other dispositions

Most juvenile dispositions are multifaceted. A probation order may include additional requirements such as drug counseling, weekend confinement in the local detention center, and community or victim restitution. The term of probation may be for a specified period of time or open ended. Review hearings are held to monitor the juvenile's progress and to hear reports from probation staff. After conditions of the probation have been successfully met, the judge terminates the case. In 1992, 6 in 10 adjudicated delinquents were placed on formal probation.

The judge may order the juvenile committed to a residential placement

Residential commitment may be for a specific or indeterminate ordered time period. In 1992, 3 in 10 adjudicated delinquents were placed in a residential facility. The facility may be publicly or privately operated and may have a secure prison-like environment or a more open, even home-like setting. In many States, when the judge commits a juvenile to the State department of juvenile corrections, the department determines where the juvenile will be placed and when the juvenile will be released. In other instances the judge controls the type and length of stay. In these situations review hearings are held to assess the progress of the juvenile.

Juvenile aftercare is similar to adult parole

Following release from an institution, the juvenile is often ordered to a period of aftercare or parole. During this period the juvenile is under supervision of the court or the juvenile corrections department. If the juvenile does not follow the conditions of aftercare, he or she may be recommitted to the same facility or to another facility.

The processing of status offense cases differs from that of delinquency cases

A delinquent offense is an act committed by a juvenile for which an adult could be prosecuted in criminal court. There are, however, behaviors that are law violations only for youth of juvenile status. These "status offenses" may include such behaviors as running away from home, truancy, ungovernability, curfew violations, and underage drinking. In many ways the processing of status offense cases parallels that of delinquency cases.

Not all States, however, consider all of these behaviors to be law violations. Many States view these behaviors as indicators that the child is in need of supervision and respond to the behavior through the provision of social services. This different characterization of status offenses causes them to be handled more like dependency than delinquency cases.

While many status offenders enter the juvenile justice system through law enforcement, in many States the initial official contact is a child welfare agency. In 1992, 55% of all status offense cases referred to juvenile court came from law enforcement.

The Juvenile Justice and Delinquency Prevention Act discourages the holding of status offenders in secure juvenile facilities, either for detention or placement. This policy has been labeled *deinstitutionalization of status offenders*. An exception to this policy occurs when the status offender violates a valid court order, such as a probation order that requires the adjudicated status offender to attend school and observe a court-ordered curfew. In such situations the status offender may be confined in a secure juvenile facility.

A juvenile court by any other name is still a juvenile court

Every State has at least one court with juvenile jurisdiction, but in most States it is not actually called "Juvenile Court." Courts with juvenile jurisdiction vary by State — District, Superior, Circuit, County, Family, or Probate court, to name a few. Often the court of juvenile jurisdiction has a separate division for juvenile matters. Courts with juvenile jurisdiction generally have jurisdiction over delinquency, status offense, and abuse/neglect matters and may also have jurisdiction in other matters such as adoption, termination of parental rights, and emancipation. Whatever their name, courts with juvenile jurisdiction are generically referred to as juvenile courts.

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U.S. Supreme Court cases have had an impact on the character and procedures of the juvenile justice system

The Supreme Court has made its mark on juvenile justice

Issues arising from juvenile delinquency proceedings rarely come before the U.S. Supreme Court. Beginning in the late 1960's, however, the Supreme Court decided a series of landmark cases that dramatically changed the character and procedures of the juvenile justice system.

Kent v. *United States* 383 U.S. 541, 86 S.Ct. 1045 (1966)

In 1961, while on probation from an earlier case, Morris Kent, 16, was charged with rape and robbery. Kent confessed to the offense as well as to several similar incidents. Assuming that the District of Columbia juvenile court would consider waiving jurisdiction to the adult system, Kent's attorney filed a motion requesting a hearing on the issue of jurisdiction.

The juvenile court judge did not rule on this motion filed by Kent's attorney. Instead, he entered a motion stating that the court was waiving jurisdiction after making a "full investigation." The judge did not describe the investigation or the grounds for the waiver. Kent was subsequently found guilty in criminal court of 6 counts of housebreaking and robbery and given a sentence of 30 to 90 years in prison.

Kent's lawyer sought to have the criminal indictment dismissed arguing that the waiver had been invalid. He also appealed the waiver and filed a writ of *habeas corpus* asking the State to justify Kent's detention. Appellate courts rejected both the appeal and the writ, refused to scrutinize the judge's "investigation," and accepted the waiver as valid. In appealing to the U.S. Supreme Court, Kent's attorney argued that the judge had not made a complete investigation and that Kent was denied constitutional rights simply because he was a minor.

The Court ruled the waiver invalid, stating that Kent was entitled to a hearing that measured up to "the essentials of due process and fair treatment," that Kent's counsel should have had access to all records involved in the waiver, and that the judge should have provided a *written* statement of the reasons for waiver.

Technically, the *Kent* decision applied only to D.C. courts, but its impact was more widespread. The Court raised a potential constitutional challenge to *parens patriae* as the foundation of the juvenile court. In its past decisions, the Supreme Court had interpreted the Equal Protection Clause of the 14th Amendment to mean that classes of people could receive less due process *if* a "compensating benefit" came with this lesser protection. In theory, the juvenile court provided less due process but a greater concern for the interests of the juvenile. The Court referred to evidence that this compensating benefit may not exist in reality and that juveniles may receive the "worst of both worlds" — "neither the protection accorded to adults nor the solicitous care and regenerative treatment postulated for children."

In re Gault 387 U.S. 1, 87 S.Ct. 1428 (1967)

Gerald Gault, 15, was on probation in Arizona for a minor property offense when, in 1964, he and a friend made a crank telephone call to an adult neighbor, asking her, "are your cherries ripe today?" and "do you have big bombers?" Identified by the neighbor, the youth were arrested and detained.

The victim did not appear at the adjudication hearing and the court never resolved the issue of whether Gault made the "obscene" remarks. Gault was committed to a training school for the period of his minority. The maximum sentence for an adult would have been a $50 fine or 2 months in jail.

A lawyer obtained after the trial filed a writ of *habeas corpus* that was eventually heard by the U.S. Supreme Court. The issue presented in the case was that Gault's constitutional rights (to notice of charges, counsel, questioning of witnesses, protection against self-incrimination, a transcript of the proceedings, and appellate review) were denied.

The Court ruled that in hearings that could result in commitment to an institution, juveniles have the right to notice and counsel, to question witnesses, and to protection against self-incrimination. The Court did not rule on a juvenile's right to appellate review or transcripts, but encouraged the States to provide those rights.

The Court based its ruling on the fact that Gault was being punished, rather than helped by the juvenile court. The Court explicitly rejected the doctrine of *parens patriae* as the founding principle of juvenile justice, describing the concept as murky and of dubious historical relevance. The Court concluded that the handling of Gault's case violated the Due Process Clause of the 14th Amendment: "Juvenile court history has again demonstrated that unbridled discretion, however benevolently motivated, is frequently a poor substitute for principle and procedure."

In re Winship
397 U.S. 358, 90 S.Ct. 1068 (1970)

Samuel Winship, 12, was charged with stealing $112 from a woman's purse in a store. A store employee claimed to have seen Winship running from the scene just prior to finding the money missing; others in the store stated that the employee was not in a position to see the money being taken.

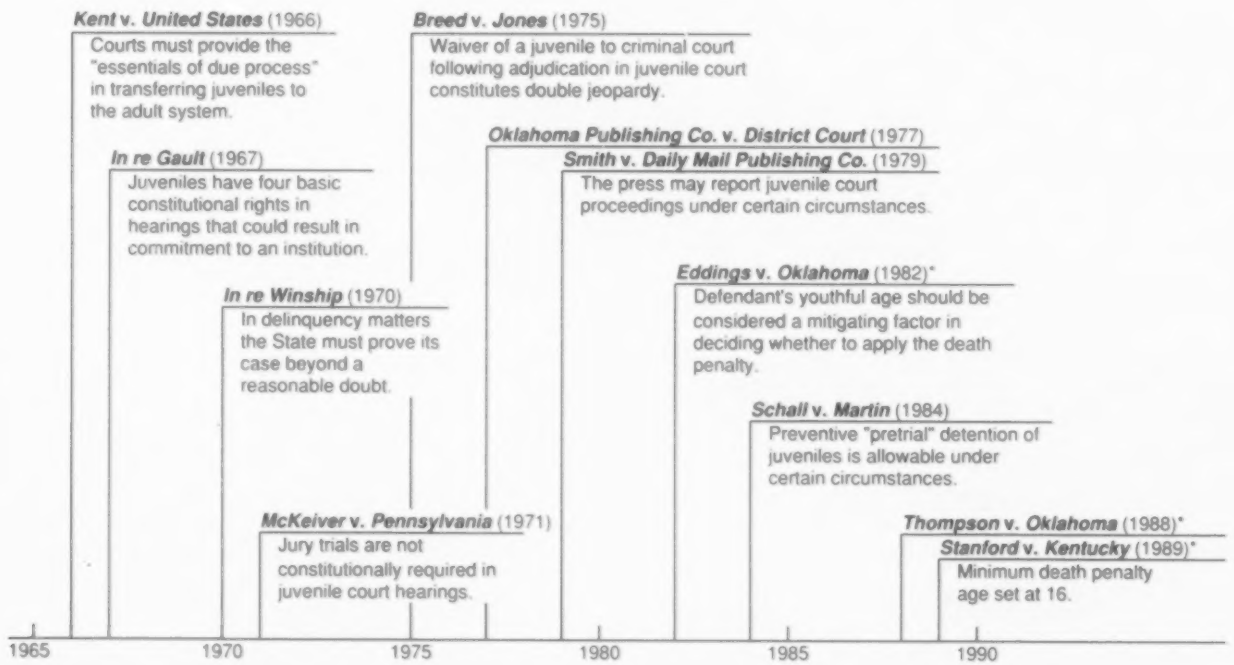
Winship was adjudicated delinquent and committed to a training school. New York juvenile courts operated under the civil court standard of a "preponderance of evidence." His attorney elicited agreement from the court that there was "reasonable doubt" of Winship's guilt, but that the court's ruling was based on the "preponderance" of evidence.

Upon appeal to the Supreme Court, the central issue in the case was whether "proof beyond a reasonable doubt" should be considered among the "essentials of due process and fair treatment" required during the adjudicatory stage of the juvenile court process. The Court rejected lower court arguments that juvenile courts were not required to operate on the same standards as adult courts because they were designed to "save" rather than to "punish" children. The Court ruled that the "reasonable doubt" standard should be required in all delinquency adjudications.

McKeiver v. *Pennsylvania*
403 U.S. 528, 91 S.Ct. 1976 (1971)

Joseph McKeiver, 16, was charged with robbery, larceny, and receiving stolen goods after he and 20–30 other youth chased 3 youth and took 25 cents from them. McKeiver met with his attorney for only a few minutes before his adjudicatory hearing. At the hearing his attorney's request for a jury trial was denied by the court. He was subsequently adjudicated and placed on probation.

A series of U.S. Supreme Court decisions made juvenile courts more like criminal courts but maintained some important differences


Kent v. *United States* (1966)
Courts must provide the "essentials of due process" in transferring juveniles to the adult system.
In re Gault (1967)
Juveniles have four basic constitutional rights in hearings that could result in commitment to an institution.
In re Winship (1970)
In delinquency matters the State must prove its case beyond a reasonable doubt.
McKeiver v. *Pennsylvania* (1971)
Jury trials are not constitutionally required in juvenile court hearings.
Breed v. *Jones* (1975)
Waiver of a juvenile to criminal court following adjudication in juvenile court constitutes double jeopardy.
Oklahoma Publishing Co. v. *District Court* (1977)
Smith v. *Daily Mail Publishing Co.* (1979)
The press may report juvenile court proceedings under certain circumstances.
Eddings v. *Oklahoma* (1982)*
Defendant's youthful age should be considered a mitigating factor in deciding whether to apply the death penalty.
Schall v. *Martin* (1984)
Preventive "pretrial" detention of juveniles is allowable under certain circumstances.
Thompson v. *Oklahoma* (1988)*
Stanford v. *Kentucky* (1989)*
Minimum death penalty age set at 16.
1965
1970
1975
1980
1985
1990

* Death penalty case decisions are discussed in chapter 7.

The State Supreme Court cited recent decisions of the U.S. Supreme Court that had attempted to include more due process in juvenile court proceedings without eroding the essential benefits of the juvenile court. It affirmed the lower court, arguing that of all due process rights, trial by jury is most likely to "destroy the traditional character of juvenile proceedings."

The U.S. Supreme Court found that the Due Process Clause of the 14th Amendment did not require jury trials in juvenile court. The impact of the *Gault* and *Winship* decisions was to enhance the accuracy of the juvenile court process in the fact finding stage. The Court argued that juries are not known to be more accurate than judges in the adjudication stage and could be disruptive to the informal atmosphere of the juvenile court, tending to make it more adversarial.

Breed v. *Jones*
421 U.S. 519, 95 S.Ct. 1779 (1975)

In 1970, Gary Jones, 17, was charged with armed robbery. Jones appeared in Los Angeles juvenile court and was adjudicated delinquent on the original charge and two other robberies.

At the dispositional hearing, the judge waived jurisdiction over the case to criminal court. Counsel for Jones filed a writ of *habeas corpus*, arguing that his waiver to criminal court violated the Double Jeopardy Clause of the Fifth Amendment. The court denied this petition, saying that Jones had not been tried twice because juvenile adjudication is not a "trial" and does not place a youth in jeopardy.

Upon appeal, the U.S. Supreme Court ruled that an adjudication in juvenile court, in which a juvenile is found to have violated a criminal statute, is equivalent to a trial in criminal court. Thus, Jones *had* been placed in double jeopardy. The Court also specified that jeopardy applies at the adjudication hearing when evidence is first presented. Waiver cannot occur after jeopardy attaches.

Oklahoma Publishing Company v. *District Court in and for Oklahoma City*
480 U.S. 308, 97 S.Ct. 1045 (1977)

In the *Oklahoma Publishing Company* case, the Supreme Court ruled that a court order prohibiting the press from reporting the name and photograph of a youth involved in a juvenile court proceeding that it legally obtained elsewhere was an unconstitutional infringement on Freedom of the Press.

Smith v. *Daily Mail Publishing Company*
443 U.S. 97, 99 S.Ct. 2667 (1979)

The *Daily Mail* case held that State law cannot stop the press from publishing a juvenile's name that it obtained independently of the court. Although the decision did not hold that the press should have access to juvenile court files, it did hold that if information regarding a juvenile case is lawfully obtained by the media, the First Amendment interest in a free press takes precedence over the interests in preserving the anonymity of juvenile defendants.

Schall v. *Martin*
467 U.S. 253, 104 S.Ct. 2403 (1984)

Gregory Martin, 14, was arrested in 1977 and charged with robbery, assault, and possession of a weapon. He and two other youth allegedly hit a boy on the head with a loaded gun and stole his jacket and sneakers.

Martin was held pending adjudication because the court found there was a "serious risk" that he would commit another crime if released. Martin's attorney filed a *habeas corpus* action challenging the fundamental fairness of preventive detention. The lower appellate courts reversed the juvenile court's detention order, arguing in part that pretrial detention is essentially punishment because many juveniles detained before trial are released before, or immediately after, adjudication.

The U.S. Supreme Court upheld the constitutionality of the preventive detention statute. It stated that preventive detention serves a legitimate State objective in protecting both the juvenile and society from pretrial crime and is not done solely to punish the juvenile. The Court found there were enough procedures in place to protect juveniles from wrongful deprivation of liberty. The protections were provided by notice, a statement of the facts and reasons for detention, and a probable cause hearing within a short time. The Court also reasserted the *parens patriae* interests of the State in promoting the welfare of children.

Access to juvenile court records is generally limited

State statutes often specify exceptions to the confidentiality of juvenile court records

Although legal and social records maintained by law enforcement agencies and juvenile courts are generally confidential, the juvenile code in many States specifies individuals or agencies who are allowed access to such records. However, access is typically neither unlimited nor automatic. Access may be restricted to certain parts of the record, and often a court order is required.

Juvenile codes in 30 States indicate that persons or agencies with a "legitimate interest" may have at least partial access to juvenile court or law enforcement records. Often this broad category of "interested persons" must obtain the court's permission to gain access. Most States also specify those individuals or agencies within the justice system who may access juvenile records without a court order, although the access may be restricted to parts of the record or to certain purposes. In this way juvenile records are made available to the following individuals/agencies:

- Juvenile court judges and professional court staff (34 States).
- Criminal court staff (24 States).
- Probation officers (26 States).
- Prosecutors (33 States).
- Institutions or agencies with custody (37 States).
- Law enforcement (26 States).

Many States specifically allow inspection of the juvenile's record by the juvenile who is the subject of the proceedings (29 States), the juvenile's parents or guardian (30 States), or the juvenile's attorney (36 States).

Several States also allow victims (24 States) or other people in danger from the juvenile (4 States) to access the legal record or at least be informed of the juvenile's name and address and the outcome of the case. In 13 States, school officials are specifically given at least limited access to the records of juvenile offenders who are their students.

In some States the public has access to juvenile records

About half the States specify circumstances in which juvenile records are open to the public. Statutes specify certain crimes or cases for which juvenile records will be made part of the public record or otherwise made public. The crimes specified are typically violent or otherwise serious crimes, but sometimes include more minor offenses such as traffic violations. In some States, statutes specify that records are open to the public for any public court proceedings. In these States, statutes often further specify that cases involving serious crimes shall be open to the public.

In several States, the court is required to release the names of juveniles adjudicated delinquent for committing serious offenses or repeat offenses, as well as the nature of the crimes involved.

Many State statutes also include provisions for using juvenile records for research or statistical purposes. Generally, researchers allowed access either may not receive information identifying individual juveniles or are prohibited from releasing identifying information to others.

Juveniles' names may be released to the media under certain circumstances in more than half the States

Juvenile codes in 29 States allow names (and sometimes even pictures) of juveniles involved in delinquency proceedings to be released to the media. In 19 of these States, the juvenile's identity may be released only in cases involving certain crimes and/or if the juvenile is a repeat offender. A court order is required in 12 of the 29 States.

Only two States, Illinois and Wisconsin, specifically include the media among those who may access juvenile records. In Illinois, such media access requires a court order and in Wisconsin, media are prohibited from revealing the identity of the juvenile involved.

A majority of States have established at least some time limits regarding the processing of juvenile delinquency cases

Time limits for processing delinquency cases in juvenile court are set either by statute or court rule in 35 States

Deadlines for holding adjudication hearings are specified in 31 States. The majority of these States "start the clock" with the filing of the petition and specify a maximum number of days until the adjudicatory hearing. Many States establish specific deadlines for cases involving detained youth. Deadlines for cases involving detention range from 10 to 180 days from petitioning to adjudication. For cases not involving detention or where no detention distinction is made, the range is 30 to 180 days. Some States limit the number of days until adjudication, starting from the time of detention (rather than petitioning) — time limits range from 7 to 63 days.

Deadlines for holding disposition hearings are specified in 25 States. In 24 of these 25 States, the time limits are set starting at the time of adjudication. Again, many of these States have established shorter timeframes for handling cases involving detention — ranging from 10 to 35 days. For cases not involving detention or where no detention distinction is made, time limits range from "immediately" to 90 days.

A few States set processing deadlines for cases scheduled for waiver hearings

In nine States separate time limits are set for cases in which a waiver hearing, rather than an adjudicatory hearing, is requested. Most States establish a deadline for holding the waiver hearing. Some also limit the time between a denial of waiver and the adjudicatory hearing. As with other deadlines, several States have set specific limits for cases involving detention. The established timeframes for each of these phases range from 20 to 45 days for cases involving detention, and from 28 to 90 days for cases not involving detention. In one State a 1-day maximum is allowed between the juvenile's admission to an adult jail and the filing of a transfer motion.

There is more than one way to think about case processing time in the juvenile court

Issues of case processing time and delay are applicable to all court proceedings but are especially important in the juvenile court. Children and adolescents often experience the passage of time differently from adults. To be effective, the response to a juvenile's negative behavior must be made quickly. If that response is significantly delayed, its corrective impact is apt to be reduced.

In addition, the juvenile court's jurisdictional authority is bounded by the youth's age and is, thus, time-limited. Each day a case is in process is a day of potential intervention lost.

One researcher has described some different ways to think about case processing time in juvenile court:

- **Case time** — the time elapsed between the initiation of a case and its final disposition.
- **Court time** — the time available to a court to handle the cases on its daily calendar or docket.
- **Child time** — the passage of time as it relates to the quality and impact of the process from the juvenile's perspective.
- **Intervention time** — the limited time window during which a youth is amenable or susceptible to the court's intervention.

Source: Mahoney, A. (1985). Time and process in juvenile court. *The Justice System Journal.*

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All States allow juveniles to be tried as adults in criminal court under certain circumstances

There is more than one path to criminal court

A juvenile's delinquency case can be transferred to criminal court for trial as an adult in one of three ways:

- Judicial waiver.
- Prosecutorial discretion.
- Statutory exclusion.

In a given State, one, two, or all three transfer mechanisms may be in place.

Transfers to criminal court have been allowed in some States for more than 70 years

Some States have permitted juvenile offenders to be transferred to criminal court since before the 1920's — Arkansas, California, Colorado, Florida, Georgia, Kentucky, North Carolina, Ohio, Oregon, and Tennessee. Other States have permitted transfers since at least the 1940's — Delaware, Indiana, Maryland, Michigan, Nevada, New Hampshire, New Mexico, Rhode Island, South Carolina, and Utah.

Traditionally, the decision to transfer a youth to criminal court was made by a juvenile court judge and was based upon the individual circumstances in each case. Beginning in the 1970's and continuing through the 1990's, however, State legislatures increasingly moved young offenders into criminal court based on age and offense seriousness without the case-specific assessment offered by the juvenile court process. In half the States, laws have been enacted that exclude some offenses from juvenile court and a number of States have also expanded the range of excluded offenses. One-quarter of the States have given prosecutors the discretion to charge certain offenses either in juvenile or criminal court.

Judicial waiver is the most common transfer provision

In all States except Nebraska and New York, juvenile court judges may waive jurisdiction over a case and transfer it to criminal court. Such action is usually in response to a request by the prosecutor; however, in several States, juveniles or their parents may request judicial waiver. In most States, statutes limit waiver by age and offense.

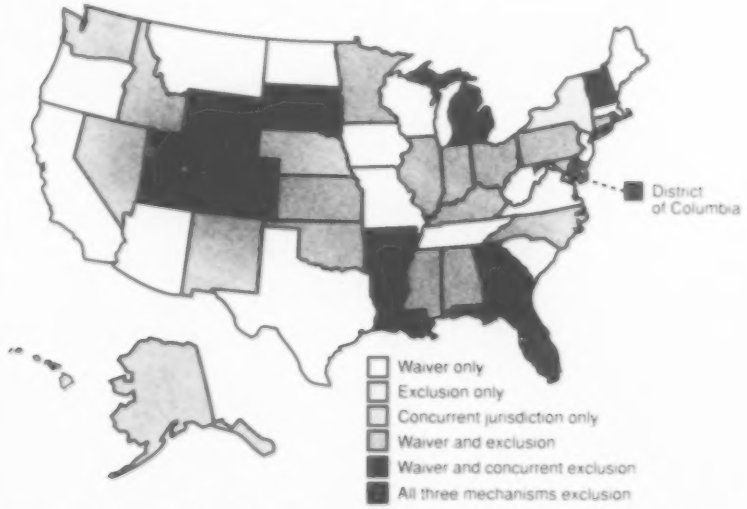
Statutes establish waiver criteria other than age and offense

Most State statutes also limit judicial waiver to juveniles who are "no longer amenable to treatment." The specific factors that determine lack of amenability vary, but typically include the juvenile's offense history and previous dispositional outcomes. Many statutes instruct juvenile courts to consider the availability of dispositional alternatives for treating the juvenile and the time available for sanctions, as well as public safety and the best interests of the child when making waiver decisions. The waiver process must adhere to certain constitutional principles of fairness (see Supreme Court decisions earlier in this chapter).

Criminal courts often may return transferred cases to juvenile court or order juvenile sanctions

Several States have provisions for transferring "excluded" or "direct filed" cases from criminal court to juvenile court under certain circumstances. This procedure is sometimes referred to as "reverse" waiver or transfer. In many States juveniles tried as adults in criminal court may receive dispositions involving either criminal or juvenile court sanctions.

Many States have a combination of transfer provisions



Note: Analysis conducted 10/94; some provisions effective 1/1/95.

Most States have broad age and offense provisions for judicial waiver

Key:
- Provision is specifically mentioned in State's Juvenile Code
- Provision applies only if the other condition similarly shaded is also met

See Example below for information on how to read the graphic.

State	Minimum age	Any criminal offense	Capital crimes	Murder	Certain offenses: Person offenses	Certain offenses: Property offenses	Certain offenses: Drug offenses	Certain offenses: Weapon offenses	Certain offenses: Felony offenses	Prior delinquency adjudication or criminal conviction
AL	14	14								
AK										
AZ										
AR	14		14	14	14			14	16	
CA	14	16		14	14	14		14		
CO	14								14	
CT	14								14	
DE	14	16							14	
DC		16[a]							15	
FL		14								
GA	13	15	13			15				
HI	16								16	
ID	14	14								
IL	13	13								
IN		14		10					16	
IA	14	14								
KS	14	16					14		14	
KY	14		14						14	
LA	15			15	15	15				
ME										
MD		15								
MA				14	14				14[b]	
MI	15								15	
MN	14	14								
MS	13	13								
MO	14								14	
MT	12			12	12	16	16	16		
NV	16								16	
NH										
NJ	14	14		14	14	14	14	14		
NM	15			15[c]	15[c]	15[c]		15[c]	15[c]	
NC	13								13	
ND	14	16			14					
OH									15	
OK										
OR						15			15	
PA	14								14	
RI										
SC		16				14				
SD										
TN	14	16		14	14					
TX	15								15	
UT	14								14	
VT	10			10	10	10				
VA	14								14	
WA										
WV									16	
WI	14	16		14	14	14	14		14	
WY										

Example: Alabama permits judicial waiver for any delinquency case involving a juvenile 14 or older. Connecticut permits waiver of juveniles age 14 or older charged with certain felonies if they have been previously adjudicated delinquent.

[a] Waiver conditional on the juvenile being under commitment for delinquency.
[b] Waiver conditional on a previous commitment to the Department of Youth Services.
[c] Provisions differ from traditional judicial waiver in that juveniles are adjudicated in juvenile court and at disposition are "subject to adult or juvenile sanctions."

Note: Analysis conducted 10/94; some provisions effective 1/1/95. Ages in the minimum age column may not apply to all the restrictions indicated, but represent the youngest possible age at which a juvenile may be waived to criminal court. For States with a blank minimum age cell, at least one of the offense restrictions indicated is not limited by age. When a provision is conditional on prior adjudications, those adjudications are often required to have been for the same offense type (e.g., class A felony) or a more serious offense.

Source: Szymanski, L. (1994). *Waiver transfer certification of juveniles to criminal court: Age restrictions crime restrictions (1994 update)*

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Few States allow prosecutorial discretion, but many juveniles are tried as adults in this way

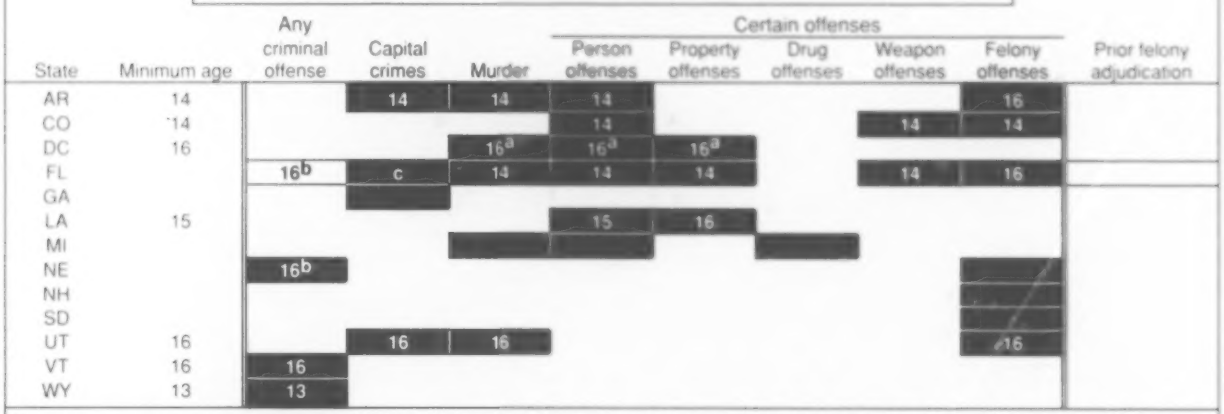
In some States, prosecutors are given the authority to file certain juvenile cases in either juvenile or criminal court under concurrent jurisdiction statutes. Thus, original jurisdiction is shared by both criminal and juvenile courts. State appellate courts have taken the view that prosecutor discretion is equivalent to the routine charging decisions made in criminal cases. Thus, prosecutorial transfer is considered an "executive function," which is not subject to judicial review and is not required to meet the due process standards established in *Kent*.

Prosecutorial discretion is typically limited by age and offense criteria. Often concurrent jurisdiction is limited to those charged with serious, violent, or repeat crimes. Juvenile and criminal courts often share jurisdiction over minor offenses such as traffic, watercraft, or local ordinance violations as well.

There are no national data at the present time on the number of juvenile cases tried in criminal court under concurrent jurisdiction provisions. There is, however, some indication that in States allowing such transfers, they are likely to outnumber judicial waivers. Florida, which has both judicial waiver and concurrent jurisdiction provisions, filed two cases directly in criminal court for each one judicially waived in 1981. By 1992 there were more than six direct filings for each case judicially waived.

Several States allow prosecutors to try juveniles charged with serious offenses in either criminal or juvenile court

Key: Provision is specifically mentioned in State's Juvenile Code.
Provision applies only if the other condition similarly shaded is also met.
See Example below for information on how to read the graphic



Example: In Florida prosecutors have discretion to file in criminal court those cases involving juveniles 16 or older charged with felony offenses (or misdemeanors if they have prior felony adjudications) as well as those 14 or older charged with murder, certain other person offenses, or certain property crimes. Juveniles of any age charged with capital crimes are tried in criminal court following grand jury indictment. In New Hampshire prosecutors may file in criminal court any juvenile case involving a felony charge.

[a] Statutory exclusion language interpreted as concurrent jurisdiction provision.
[b] Provision applies to misdemeanors only.
[c] Provision is conditional on grand jury indictment.

Note: Analysis conducted 10/94; some provisions effective 1/1/95. Ages in the minimum age column may not apply to all the restrictions indicated, but represent the youngest possible age at which a juvenile's case may be filed directly in criminal court. For States with a blank minimum age cell, at least one of the offense restrictions indicated is not limited by age. When a provision is conditional on previous adjudications, those adjudications are often required to have been for the same offense type (e.g., class A felony) or a more serious offense.

Source: Szymanski, L. (1994). *Concurrent jurisdiction (1994 update)*.

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Statutory exclusion accounts for the largest number of juveniles tried as adults in criminal court

Legislatures "transfer" large numbers of young offenders to criminal court by statutorily excluding them from juvenile court jurisdiction. Although not typically thought of as transfers, large numbers of youth under age 18 are tried as adults in the 11 States where the upper age of juvenile court jurisdiction is 15 or 16. An estimated 176,000 cases involving youth under the age of 18 were tried in criminal court in 1991 because they are defined as adults under State laws.

Many States exclude certain serious offenses from juvenile court jurisdiction. State laws typically also set age limits for excluded offenses. The serious offenses most often excluded are capital and other murders, as well as other serious offenses against persons. Several States exclude juveniles charged with felonies if they have prior felony adjudications or convictions. Minor offenses, such as traffic, watercraft, fish, or game violations, are often excluded from juvenile court jurisdiction in States where they are not covered by concurrent jurisdiction provisions.

Currently there are no national data on the number of juvenile cases tried in criminal court as a result of these types of statutory exclusions. In States where they are enacted, however, the number of youth affected may exceed those transferred via judicial waiver. For example, Illinois lawmakers amended the jurisdiction of the juvenile courts in 1982 to exclude youth aged 15 or older charged with murder, armed robbery, or rape. In the 7 years prior to 1982, the Cook County juvenile court judicially waived an average of 47 cases annually to criminal court. In the first 2 years following the enactment of the exclusion legislation, criminal prosecutions of juveniles more than tripled, climbing to 170 per year, 151 of which resulted from the exclusion provision.

Most States have at least one provision for transferring juveniles to criminal court for which no minimum age is specified

Minimum possible transfer age specified in section(s) of juvenile code specifying transfer provisions						
No age minimum	7	10	13	14	15	16
Alaska	Nebraska	New York	Vermont	Illinois	Alabama	Louisiana	Hawaii
Arizona	Nevada			North Carolina	Arkansas	New Mexico	
Delaware	New Hampshire				California	Texas	
District of Columbia	Ohio				Colorado		
Florida	Oklahoma				Connecticut		
Georgia	Oregon				Idaho		
Indiana	Pennsylvania *				Iowa		
Maine	Rhode Island				Kansas		
Maryland	South Carolina				Kentucky		
Massachusetts *	South Dakota *				Minnesota		
Michigan	Washington				Missouri		
Mississippi *	West Virginia				New Jersey		
Montana	Wyoming				North Dakota		
					Tennessee		
					Utah		
					Virginia		
					Wisconsin		

* Other sections of the juvenile code specify a minimum age of juvenile court delinquency jurisdiction. In Mississippi, Pennsylvania, and South Dakota, this minimum age is 10; in Massachusetts it is age 7.

Note: Analysis conducted 10/94; some provisions effective 1/1/95.

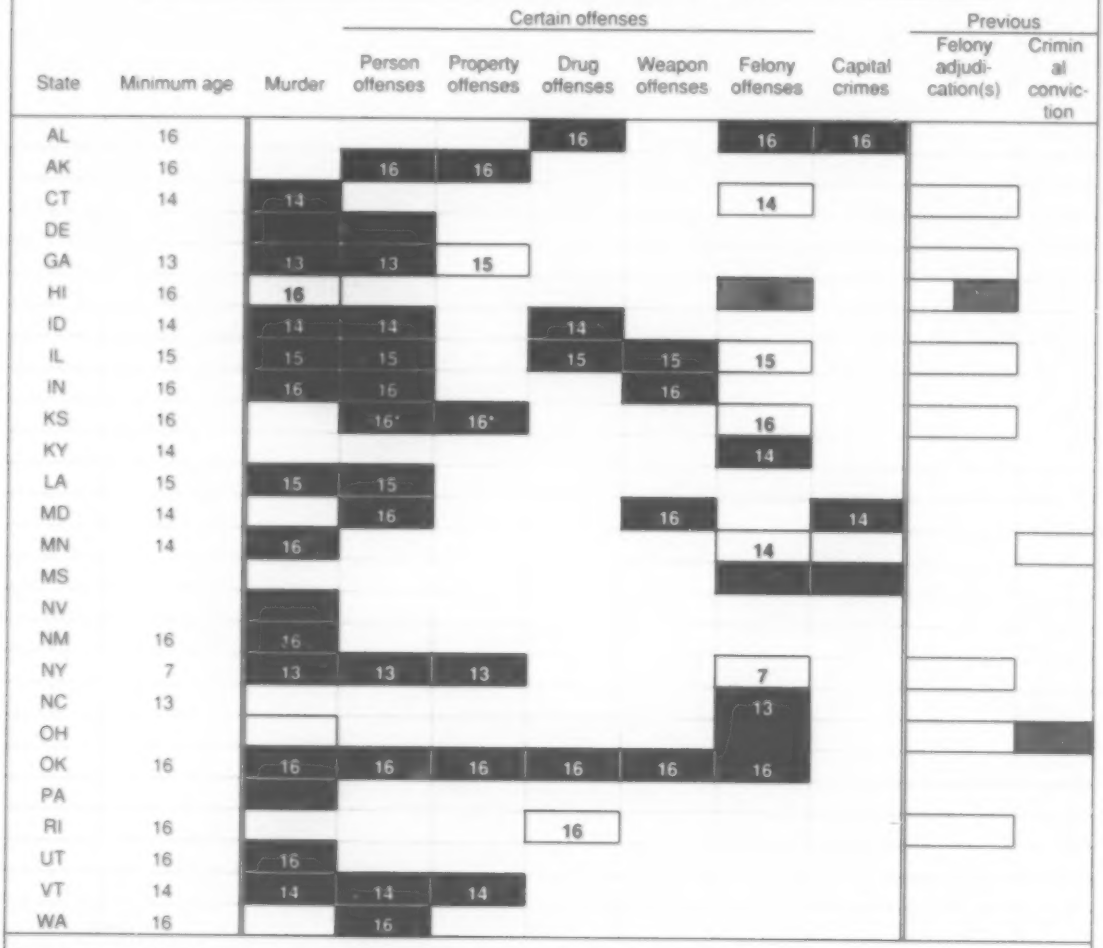
Sources: Szymanski, L. (1994). *Waiver/transfer/certification of juveniles to criminal court: Age restrictions-crime restrictions (1994 update).* Szymanski, L. (1994). *Statutory exclusion of crimes from juvenile court jurisdiction (1994 update).* Szymanski, L. (1994). *Concurrent jurisdiction (1994 update).* Szymanski, L. (1995). *Lower age of juvenile court jurisdiction (1994 update).*

Many States exclude certain serious offenses from juvenile court jurisdiction

Key: Exclusion is specifically mentioned in State's Juvenile Code.

Exclusion applies only if the other condition similarly shaded is also met.

See Example below for information on how to read the graphic.



Example: In North Carolina, juveniles age 13 or older charged with certain felonies are excluded from juvenile court jurisdiction. In Hawaii, juveniles age 16 or older charged with murder are excluded if they have prior felony adjudications, as are those 16 or older charged with certain felonies who have prior felony adjudications.

* Exclusion applies only to juveniles charged with committing offenses while in custody in juvenile institutions.

Note: Analysis conducted 10/94; some provisions effective 1/1/95. Ages in the minimum age column may not apply to all the exclusions indicated, but represent the youngest possible age at which a juvenile may be excluded from juvenile court. For States with a blank minimum age cell, at least one of the exclusions indicated is not restricted by age. When an exclusion is conditional on previous adjudications, those adjudications are often required to have been for the same offense type (e.g., class A felony) or a more serious offense.

Source: Szymanski, L. (1994). *Statutory exclusion of crimes from juvenile court jurisdiction (1994 update).*

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How does the organization and administration of juvenile services vary across States?

Probation supervision tends to be administered by local juvenile courts or by a State executive branch agency

State administration		Local administration	
Judicial branch	Executive branch	Judicial branch	Executive branch
Connecticut	Alaska	Alabama	**California**
Hawaii	**Arkansas**	Arizona	Oregon
Iowa	Delaware	**Arkansas**	**Idaho**
Kentucky	District of Columbia	**California**	**Kentucky**
Nebraska	Florida	Colorado	**Minnesota**
North Carolina	**Georgia**	**Georgia**	**Mississippi**
North Dakota	**Idaho**	Illinois	New York
South Dakota	**Kentucky**	Indiana	**Washington**
Utah	**Louisiana**	Kansas	**Wisconsin**
West Virginia	Maine	**Kentucky**	
	Maryland	**Louisiana**	
	Minnesota	Massachusetts	
	Mississippi	Michigan	
	New Hampshire	**Minnesota**	
	New Mexico	Missouri	
	North Dakota	Montana	
	Oklahoma	Nevada	
	Rhode Island	New Jersey	
	South Carolina	Ohio	
	Tennessee	**Oklahoma**	
	Vermont	Pennsylvania	
	Virginia	**Tennessee**	
	West Virginia	Texas	
	Wyoming	**Virginia**	
		Washington	
		Wisconsin	
		Wyoming	

Note: In **bolded** States, probation is provided by a combination of agencies. Often larger, urban counties operate local probation departments while in smaller counties probation is State operated.

Source: Hurst, H., and Torbet, P. (1993). *Organization and administration of juvenile services: Probation, aftercare, and State institutions for delinquent youth.*

State institutions for delinquents are administered by executive branch agencies — most often by a social services agency

Human services		Adult corrections	Juvenile corrections	Children & families
Alaska	Missouri	Colorado	Alabama	Delaware
Arkansas	Nevada	Illinois	Arizona	Montana
DC	New Hampshire	Indiana	California	Rhode Island
Florida	North Carolina	Louisiana	Connecticut	New Mexico
Hawaii	Oklahoma	Maine	Georgia	Virginia
Idaho	Oregon	Minnesota	Maryland	Wyoming
Iowa	Pennsylvania	Nebraska	New York	
Kansas	Utah	New Jersey	Ohio	
Kentucky	Vermont	North Dakota	South Carolina	
Massachusetts	Washington	South Dakota	Tennessee	
Michigan	Wisconsin	West Virginia	Texas	
Mississippi				

Note: Agencies were grouped as follows: 1) broad-based social services/welfare agencies, 2) adult corrections, 3) juvenile corrections, and 4) children and family services/protective services.

Source: Hurst, H., and Torbet, P. (1993). *Organization and administration of juvenile services: Probation, aftercare, and State institutions for delinquent youth.*

In 10 States a single agency administers probation, State institutions for delinquents, and aftercare services

In Alaska, Florida, New Hampshire, and Vermont, State social service agencies administer probation supervision, State institutions for delinquent youth, and aftercare. In Delaware, New Mexico, and Rhode Island, State children and family service agencies provide these juvenile services. In Maryland and South Carolina, juvenile services are the responsibility of State youth service agencies. In Maine, the State adult corrections department administers juvenile services.

In most States aftercare services are provided by the same agency that runs the State training school

In 38 States and the District of Columbia, the State executive branch agency that administers the State's institutions for delinquent youth also provides aftercare services. In two States aftercare is a local judicial function and in two it is a State judicial function. In eight States a combination of agencies provide aftercare services, which may include local agencies in some counties and State agencies in other counties.

Disproportionate minority confinement often stems from disparity at early stages of case processing

Federal mandates have focused attention on disproportionate minority confinement

The "disproportionate minority confinement" mandate in the Juvenile Justice and Delinquency Prevention Act requires that States determine whether the proportion of minorities in confinement exceeds their proportion in the population. If such overrepresentation is found, States must demonstrate efforts to reduce it.

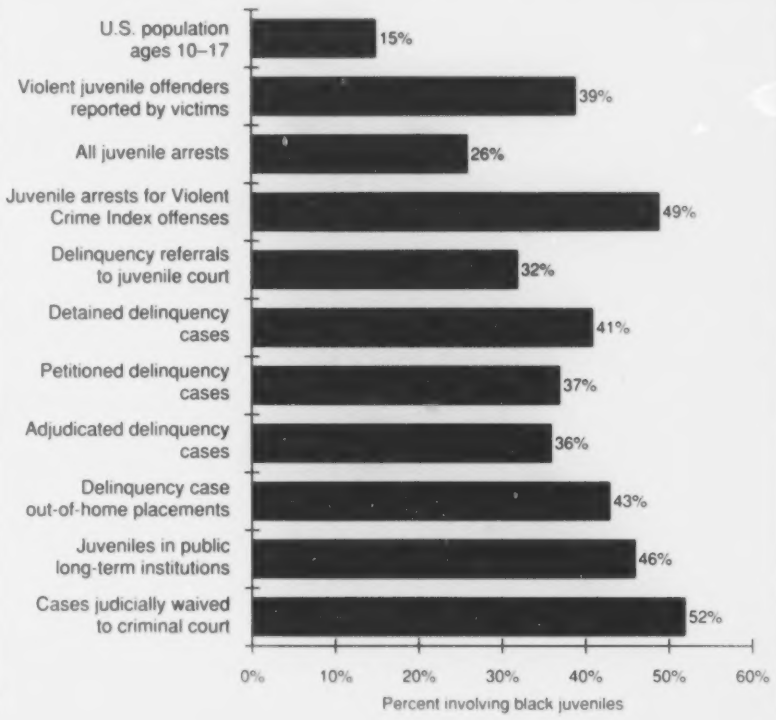
Overrepresentation, disparity, and discrimination differ

Overrepresentation refers to a situation in which a larger proportion of a particular group is present at various stages within the juvenile justice system — such as intake, detention, adjudication, and disposition — than would be expected based upon their proportion in the general population.

Disparity means that the probability of receiving a particular outcome (for example, being detained in a short-term facility versus not being detained) differs for different groups. Disparity may in turn lead to overrepresentation.

Discrimination occurs if and when juvenile justice system decisionmakers treat one group of juveniles differently than another group of juveniles based wholly, or in part, upon their gender, racial, and/or ethnic status.

Compared to their representation in the general population, black juveniles are overrepresented at all stages of the juvenile justice system



Sources: Bureau of the Census. (1992). *1990 Census of population and housing: Modified age race, sex and Hispanic original (MARS) state and county file* [machine-readable data file]. BJS. (1993). *National crime victimization survey, 1991* [machine-readable data file]. FBI. (1992). *Crime in the United States 1991*. Butts, J., et al. (1994). *Juvenile court statistics 1991*. OJJDP. (1993). *Children in custody census 1990-1991* [machine-readable data file].

Neither overrepresentation nor disparity necessarily implies discrimination

One possible explanation for disparity and overrepresentation is, of course, discrimination. This line of reasoning suggests that because of discrimination on the part of justice system decisionmakers, minority youth face higher probabilities of being arrested by the police, referred to court intake, held in short-term detention, petitioned for formal processing, adjudicated delinquent, and confined in a secure juvenile facility. Thus, differential actions throughout the justice system may account for minority overrepresentation.

However, disparity and overrepresentation can result from factors other than discrimination. Factors relating to the nature and volume of crime committed by minority youth may also explain disproportionate minority confinement. This line of reasoning suggests that if minority youth commit proportionately more crime than white youth, are involved in more serious incidents, and have more extensive criminal histories, they will be overrepresented in secure facilities, even if no discrimination occurred by system decisionmakers. Thus, minority youth may be overrepresented within the juvenile

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justice system because of behavioral and legal factors.

In any given jurisdiction, either or both of these causes of disparity may be operating. Detailed data analysis is necessary to build a strong case for one or the other causal scenario. On a national level such detailed analysis is not possible with the data that are available. For example, national data use broad offense categories — such as larceny-theft, which includes both felony and nonfelony larcenies. More severe outcomes would be expected for juveniles charged with felony larceny. Disparity in decisions regarding transfer to criminal court would result if one group of offenders had a higher proportion of felony larcenies than another group (since transfer provisions are often limited to felony offenses). However, the national data do not support analysis that controls for offense at the felony/nonfelony level of detail.

Similarly, although prior criminal record is the basis for many justice system decisions, criminal history data are not available nationally. Thus, at the national level, questions regarding the causes of observed disparity and overrepresentation remain unanswered.

There is substantial evidence of widespread disparity in juvenile case processing

While research findings are not completely consistent, data available for most jurisdictions across the country show that minority (especially black) youth are overrepresented within the juvenile justice system, particularly in secure facilities. These data further suggest that minority youth are more likely to be placed in public secure facilities, while white youth are more likely to be housed in private facilities or diverted from the juvenile justice system. Some research also suggests that differences in the offending rates of white and minority youth cannot explain the minority overrepresentation in arrest, conviction, and incarceration counts.

Further, there is substantial evidence that minority youth are often treated differently than are majority youth within the juvenile justice system. A recent review by Pope and Feyerherm of existing research literature found that approximately two-thirds of the studies examined showed that racial and/or ethnic status did influence decisionmaking within the juvenile justice system. Since that review, a rather large body of research has accumulated across numerous geographic regions that reinforces these earlier findings. Thus, existing research suggests that race/ethnicity does make a difference in juvenile justice systems in some jurisdictions at least some of the time.

However, because juvenile justice systems are fragmented and administered at the local level, race/ethnic differences exist in some jurisdictions but not in others. Therefore, one would not expect research findings to be consistent given geographical variation and variation across timeframes.

Racial/ethnic differences occur at various decision points within the juvenile justice system

Pope and Feyerherm found that when racial/ethnic effects do occur, they can be found at any stage of processing within the juvenile justice system. However, they found across numerous jurisdictions, a substantial body of research suggesting that disparity is most pronounced at the beginning stages. The greatest disparity between majority and minority youth court processing outcomes occurs at intake and detention decision points. Existing research also suggests that when racial/ethnic differences are found, they tend to accumulate as youth are processed through the justice system.

Pope and Feyerherm also found that research reveals a large amount of variation across rural, suburban, and urban areas. Correspondingly, the concept of "justice by geography" introduced by Feld suggests that there are marked differences in outcome depending upon the jurisdiction in which the youth is processed. For example, cases in urban jurisdictions are more likely to receive severe outcomes at various stages of processing than are cases in nonurban areas. Because minority populations are concentrated in urban areas, this effect may work to the disadvantage of minority youth and result in greater overrepresentation.

In nearly all States, a disproportionate number of minorities were confined in public juvenile facilities in 1991

State	1990 Juvenile population	Proportion of minorities: Short-term facilities 1987	Short-term facilities 1991	Long-term facilities 1987	Long-term facilities 1991
U.S. Total	**30%**	**56%**	**65%**	**57%**	**66%**
Alabama	34	49	57	54	60
Alaska	30	41	44	36	50
Arizona	39	36	55	45	57
Arkansas	24	23	45	46	60
California	54	64	74	73	82
Colorado	25	55	57	56	53
Connecticut	23	60	75	58	83
Delaware	27	52	83	62	80
District of Columbia	88	98	100	100	100
Florida	37	55	67	55	69
Georgia	36	55	73	62	80
Hawaii	75	81	100	96	94
Idaho	9	5	14	3	16
Illinois	32	67	75	70	70
Indiana	13	42	49	31	32
Iowa	5	8	20	15	24
Kansas	15	31	35	28	37
Kentucky	10	35	40	25	26
Louisiana	42	69	75	74	82
Maine	2	•	•	1	4
Maryland	37	45	65	66	80
Massachusetts	17	54	71	39	67
Michigan	22	46	53	49	61
Minnesota	9	33	41	33	45
Mississippi	47	58	75	79	84
Missouri	16%	52%	68%	44%	49%
Montana	11	17	29	22	34
Nebraska	10	27	49	25	38
Nevada	28	37	44	25	47
New Hampshire	3	0	0	2	5
New Jersey	33	74	81	76	84
New Mexico	60	58	73	72	76
New York	38	74	82	74	80
North Carolina	32	46	61	54	69
North Dakota	8	50	33	42	39
Ohio	16	35	44	43	55
Oklahoma	25	31	58	45	53
Oregon	12	14	26	13	21
Pennsylvania	16	60	64	68	65
Rhode Island	15	17	36	57	61
South Carolina	40	49	58	57	70
South Dakota	13	31	39	35	30
Tennessee	22	67	71	41	56
Texas	49	62	73	67	77
Utah	9	26	29	30	44
Vermont	2	0	0	•	•
Virginia	28	47	60	46	59
Washington	17	24	35	28	42
West Virginia	5	13	13	5	12
Wisconsin	12	59	61	53	62
Wyoming	11	•	•	13	20

- Nationally, the proportion of minorities in custody in public facilities increased between 1987 and 1991.
- The increase in the proportion of minorities was virtually the same for long- and short-term public facilities.

• Not applicable — no facilities of this type were publicly operated.

Note: Minorities includes blacks, Hispanics, American Indians, and Asian/Pacific Islanders. Juvenile population is the number of juveniles ages 10 through the upper age of juvenile court jurisdiction.

Source: OJJDP. (1993). *Children in custody census 1990/1991* [machine-readable data file].

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Chapter 5

Law enforcement and juvenile crime

For delinquents, law enforcement is the doorway to the juvenile justice system. Once a juvenile is apprehended for a law violation, it is the police officer who first determines if the juvenile will move deeper into the justice system or will be diverted.

Law enforcement agencies track the volume and characteristics of crimes reported to them and use this information to monitor the changing levels of crime in their communities. Not all crimes are reported and most of those that are reported remained unsolved. Consequently, the reported crime information cannot shed much light on the problem of juvenile crime. However, law enforcement agencies also report arrest statistics that can be used to monitor the flow of juveniles and adults into the justice system. These arrest statistics are the most often cited source of information on juvenile crime trends.

This chapter describes the volume and characteristics of juvenile crime from the perspective of law enforcement. Information is presented on the number of juvenile arrests made annually, the nature of these arrests, and arrest trends. Violent crime, property crime, drug, and weapons arrests and trends are presented. Juvenile arrests and arrest trends are also compared with those of adults. The data presented in this chapter were originally compiled by the Federal Bureau of Investigation as a part of its Uniform Crime Reporting Program.

Acknowledgments

This chapter was written by Howard Snyder. The county-level arrest maps were produced by Dennis Sullivan using data extrapolated from a data file prepared by the Inter-university Consortium for Political and Social Research at the University of Michigan, which was based on a data file provided by the FBI.

Information from the FBI's Uniform Crime Reporting Program is the most often cited source for juvenile crime and arrest trends

Since the 1930's police agencies have reported to the Uniform Crime Reporting (UCR) Program

Each year thousands of agencies voluntarily report the following data to the FBI:

- Number of reported Index crimes.
- Number of arrests and the most serious charge involved in each.
- Age, sex, and race of arrestees.
- Proportion of reported Index crimes cleared by arrest and the proportion cleared by the arrest of persons under age 18.
- Dispositions of juvenile arrests.
- Detailed victim and assailant information in homicide cases.

In 1992 law enforcement agencies with jurisdiction over 95% of the U.S. population contributed data on reported crimes, while 84% of the country was represented in the reported arrest data.

What can the UCR data tell us about crime and young people?

The UCR data can provide estimates of the annual number of arrests of young people for various offense categories. It can detail these arrests by sex, race, and urban, suburban, and rural areas. It can estimate changes in arrests over various time periods and the proportion of crimes cleared by youthful arrests. The UCR can also compare the relative number of adult and youthful arrests within offense categories and over time.

UCR data document the number of crimes reported, not the number of crimes committed

The UCR Program monitors the number of Index crimes (see side bar) that come to the attention of law enforcement agencies. Although this information is useful in trending the volume of crime committed, it must be recognized that not all crimes are brought to the attention of law enforcement. Reported crime figures cannot be used to measure the number or the proportion of crimes committed by juveniles.

Crimes are more likely to be reported if they involve an injury or a large economic loss. For example, the National Crime Victimization Survey found that 92% of motor vehicle thefts were reported in 1992, while police received reports on 70% of robberies with injury, 52% of simple assaults with injury, and 29% of attempted robberies without injury. Consequently, changes in reported crime may reflect changes in the number of crimes committed, in the willingness of victims to report these crimes to law enforcement agencies, or in the inclination of the police to make a record of the incident. At least part of the increase in reported crime statistics in the past 20 years can be attributed to an increase in the willingness of victims to report crimes to police.

UCR data document the number of arrests made, not the number of persons arrested

A person can be arrested more than once in a year. Each arrest is counted separately in the UCR. One arrest can represent many crimes. A person arrested for allegedly committing 40 burglaries would show up in the UCR data as one arrest for burglary. One crime may also result in multiple arrests. For example, three youth may be arrested for one burglary. This situation of multiple arrests for a single crime is more likely to occur for juveniles than for adults because juveniles are more likely than are adults to commit crimes in groups.

What are the Crime Indices?

The designers of the UCR Program wanted to create an index (similar in concept to the Dow Jones Industrial Average or the Consumer Price Index) which would be sensitive to changes in the volume and nature of reported crime. They decided to incorporate specific offenses into the index based on several factors: likelihood of being reported, frequency of occurrence, pervasiveness in all geographical areas of the country, and relative seriousness.

The *Crime Index* is divided into two components: the *Violent Crime Index* and the *Property Crime Index*:

Violent Crime Index — includes murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault.

Property Crime Index — includes burglary, larceny-theft, motor vehicle theft, and arson.

Crime Index — includes all eight crimes included in the *Violent Crime Index* and *Property Crime Index*.

While some violent crimes such as kidnapping and extortion are excluded, the Violent Crime Index contains what are generally considered to be serious crimes. In contrast, a substantial proportion of the crimes in the Property Crime Index are generally considered less serious crimes, such as shoplifting, theft from motor vehicles, and bicycle theft, all of which are included in the larceny-theft category.

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UCR records only the most serious offense for which a person was arrested

Arrest counts and trends for less serious offenses must be carefully interpreted. For example, an arrest of a person for both robbery and weapons possession would appear in the UCR data as one robbery arrest. The count of weapons arrests reflects only those arrests in which a weapons charge was the most serious offense charged.

UCR documents the result of a juvenile arrest

Local agencies report to the FBI how they disposed of arrestees who are classified as juveniles in their jurisdictions. This is the only information in the UCR Program that is sensitive to the States' statutory juvenile/adult distinction. The UCR permits agencies to characterize the disposition of the arrest into five categories: handled within the department and released; transferred to another police agency; or referred to a welfare agency, a juvenile court, or a criminal court.

Clearance statistics provide a different perspective than do arrest statistics

A crime is considered *cleared* once someone is charged with that crime. If a person is arrested and charged with committing 40 burglaries, UCR would record 40 burglary clearances. If three people are arrested for robbing a liquor store, UCR would record one robbery cleared. Knowing the number of crimes reported as well as the number of crimes cleared in a year provides an understanding of the proportion of crimes for which an arrest was made.

A much greater proportion of violent than property crimes are cleared by arrest

	Percent of all crimes cleared
Violent Crime Index	45%
Murder	65
Forcible rape	52
Robbery	24
Aggravated assault	56
Property Crime Index	18%
Burglary	13
Larceny-theft	20
Motor vehicle theft	14
Arson	15

Source: FBI. (1993). *Crime in the United States 1992.*

UCR captures the proportion of crimes cleared by juvenile arrest

UCR data also document the proportion of cleared crimes that were cleared by the arrest of persons under age 18. This is the only source of information in the UCR that specifies the percentage of crime committed by juveniles.

Assessments of the juvenile contribution to the U.S. crime problem are often based on the proportion of arrests that are juvenile arrests. Clearance and arrest statistics give a very different picture of the juvenile contribution to crime. An understanding of this difference is important if one wishes to use the UCR data properly.

How should clearance and arrest data be interpreted?

Let's try to answer the question: "What proportion of all burglaries are committed by juveniles?" The UCR reports that 20% of all burglaries cleared in 1992 were cleared by the arrest of persons under age 18 and that 34% of persons arrested for burglary in 1992 were under age 18. How do we reconcile these very different percentages?

First, can we be certain that the 13% of all burglaries that were cleared in 1992 are like all the burglaries committed? It could be argued that juveniles are less skilled at avoiding arrest. If so, cleared burglaries are likely to contain a greater percentage of juvenile burglaries than would those that are not cleared.

But even if we assumed that the offender characteristics in the 13% of cleared burglaries are similar to those of the 87% not cleared, how do we reconcile that large difference between the juvenile clearance and arrest percentage (18% vs. 34%)?

The key to this difference can be found in the fact that, more so than adults, juveniles tend to commit crimes in groups. Assume a police department cleared five burglaries, one committed by a pair of juveniles and the other four committed individually by four different adults. The juvenile proportion of burglaries cleared would be 20% (1 in 5), while 33% of persons arrested for burglary would be a juvenile (2 in 6).

Clearance and arrest statistics answer different questions. If you want to know how much crime was committed by juveniles, the clearance data give a better indication because they count crimes, not arrestees. However, if you want to know how many persons entered the justice system, use the arrest data.

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Law enforcement agencies made nearly 2.3 million arrests of persons under age 18 in 1992

Nearly 6% of all juvenile arrests in 1992 were for a violent crime — half of these arrests involved juveniles below age 16, half involved whites, and 1 in 8 involved females

Offense charged	Estimated number of juvenile arrests	Percent of total juvenile arrests					
		Female	Ages 16 and 17	White	Black	Native American	Asian
Total	**2,296,000**	**23%**	**46%**	**70%**	**27%**	**1%**	**2%**
Crime Index Total	839,400	21	40	68	29	1	2
Violent Crime Index	129,600	13	50	49	49	1	1
Murder and nonnegligent manslaughter	3,300	6	73	41	57	<1	1
Forcible rape	6,300	2	44	52	46	1	1
Robbery	45,700	9	51	38	60	<1	2
Aggravated assault	74,400	16	50	56	42	1	1
Property Crime Index	709,800	23	38	71	26	1	2
Burglary	144,500	9	40	75	22	1	2
Larceny-theft	468,200	29	36	73	24	1	2
Motor vehicle theft	87,500	12	46	58	39	1	2
Arson	9,700	11	21	83	15	1	1
Nonindex offenses	1,456,500	24	49	71	26	1	2
Other assaults	169,400	24	40	62	35	1	2
Forgery and counterfeiting	8,400	35	67	78	19	1	1
Fraud	18,400	26	46	53	44	<1	2
Embezzlement	800	45	78	69	29	1	1
Stolen property; buying, receiving, possessing	42,900	11	50	59	39	1	1
Vandalism	145,300	9	33	82	16	1	1
Weapons; carrying, possessing, etc.	54,200	7	51	62	36	1	1
Prostitution and commercialized vice	1,200	52	72	69	29	1	1
Sex offenses (except forcible rape and prostitution)	19,700	7	32	73	25	1	1
Drug abuse violations	85,700	11	68	52	47	<1	1
Gambling	1,200	7	66	24	74	1	1
Offenses against the family and children	5,100	35	45	76	21	1	3
Driving under the influence	14,700	14	92	92	5	2	1
Liquor law violations	119,200	29	76	92	5	2	1
Drunkenness	18,900	16	72	88	10	2	1
Disorderly conduct	136,500	22	47	67	32	1	1
Vagrancy	4,100	15	42	67	32	<1	1
All other offenses (except traffic)	338,500	21	54	68	29	1	2
Curfew and loitering law violations	91,100	27	47	76	21	1	2
Runaways	181,300	57	30	78	17	1	3

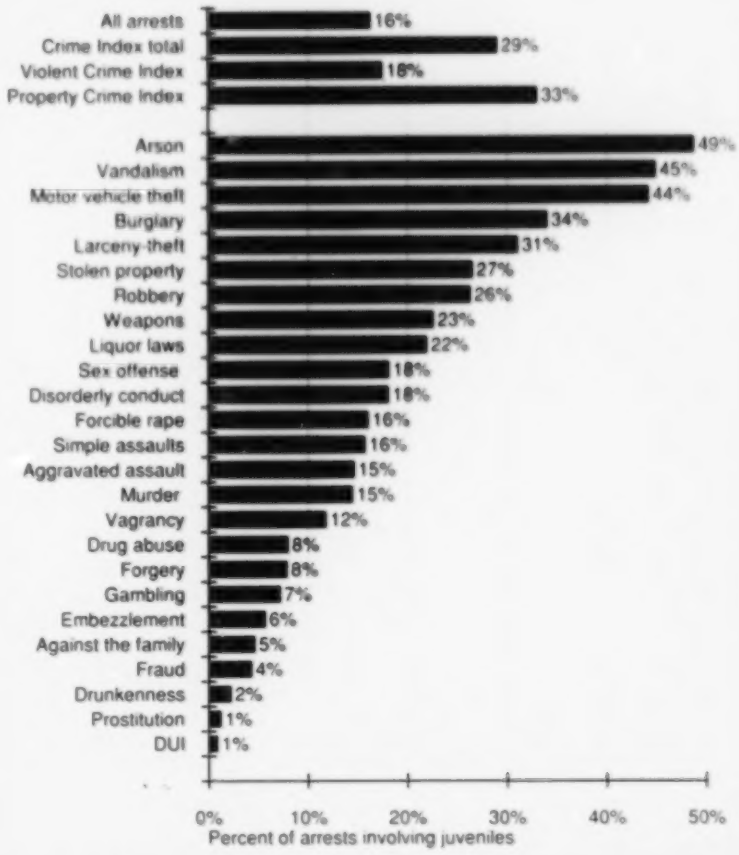
- 57% of juvenile arrests for murder and 60% of juvenile arrests for robbery involved blacks.
- 92% of juvenile arrests for driving under the influence and for liquor law violations involved whites.
- The majority of juvenile arrests for running away from home (57%) and for prostitution (52%) involved females.

Note: UCR data do not distinguish the ethnic group Hispanic; Hispanics may be of any race. Detail may not add to totals because of rounding.

Sources: FBI. (1993). *Crime in the United States 1992*. Arrest estimates developed by the National Center for Juvenile Justice.

In 1992 juveniles accounted for 13% of all violent crimes reported to law enforcement agencies and 18% of all violent crime arrests

Juveniles accounted for a much larger proportion of all property crime arrests (33%) than violent crime (18%) or drug arrests (8%) in 1992



- More than one-fourth of all persons arrested in 1992 for robbery were below age 18, well above the juvenile proportion of arrests for murder (15%), aggravated assault (15%), and forcible rape (16%).
- Juveniles were involved in 1% of all arrests for driving under the influence and prostitution, but more than 40% of all arrests for arson, vandalism, and motor vehicle theft.

Note: Running away and curfew violations are not presented in this figure because, by definition, only juveniles can be arrested for these offenses.

Source: FBI. (1993). *Crime in the United States 1992*.

How much of the crime problem is caused by juveniles?

Arrest proportions accurately characterize the ages of individuals entering the justice system. The fact that juveniles were 15% of all persons arrested for murder in 1992 implies that 15% of all persons entering the justice system on a murder charge were juveniles, not that the juveniles committed 15% of all murders.

Because juveniles are more likely than adults to commit crime in groups, arrest percentages are likely to exaggerate the juvenile contribution to the crime problem. The FBI clearance data provide a better assessment of the juvenile contribution to crime.

Juveniles were responsible for 13% of all violent crimes in 1992 and 23% of all property crimes

The juvenile contribution to the crime problem in the U.S. in 1992 varied considerably with the nature of the offense. Based on 1992 clearance data, juveniles were responsible for:

- 9% of murders.
- 12% of aggravated assaults.
- 14% of forcible rapes.
- 16% of robberies.
- 20% of burglaries.
- 23% of larceny-thefts.
- 24% of motor vehicle thefts.
- 42% of arsons.

Crimes with greater discrepancies between the arrest and clearance proportions may be those in which group behavior is more common. For example, while the discrepancy is small for forcible rape, it is relatively large for motor vehicle theft, burglary, murder, and robbery.

In 1992 the States of New York, Florida, New Jersey, Maryland, and California had the highest juvenile violent crime arrest rates

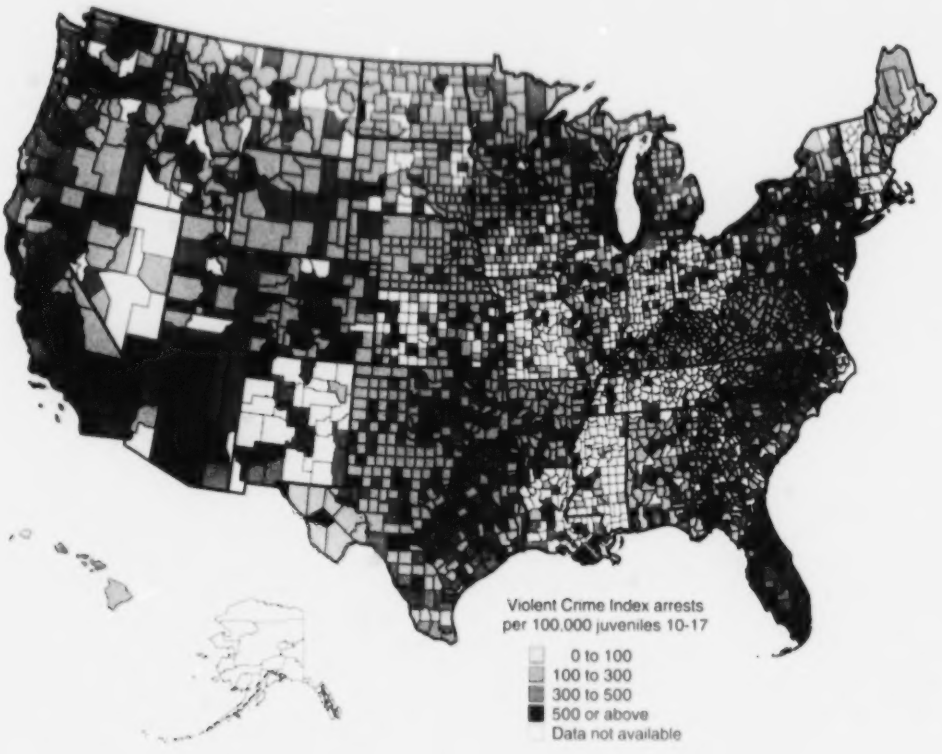
States with high juvenile arrest rates for some violent crimes do not necessarily have high juvenile arrest rates for all violent crimes

State	% Reporting	Arrests per 100,000 juveniles ages 10–17: Violent Crime Index	Murder	Forcible Rape	Robbery	Agg. Assault
Total U.S.	83%	458	12	22	161	263
Alabama	93	220	11	9	61	139
Alaska	94	205	1	23	38	143
Arizona	94	519	11	16	114	378
Arkansas	100	265	14	22	60	168
California	99	633	20	17	246	350
Colorado	92	506	6	21	85	394
Connecticut	82	499	7	24	125	343
Delaware	54	340	3	54	62	220
Dist. of Columbia	100	1,318	65	52	416	785
Florida	92	739	12	29	247	450
Georgia	72	251	6	14	62	169
Hawaii	100	276	2	26	149	99
Idaho	88	313	2	9	16	287
Illinois	42	463	5	52	101	305
Indiana	51	487	4	11	60	411
Iowa	64	159	0	9	17	133
Kansas	77	377	4	11	77	285
Kentucky	96	331	5	12	64	250
Louisiana	60	569	23	26	129	391
Maine	82	128	2	19	28	80
Maryland	100	645	21	35	200	390
Mass.	66	545	5	19	137	384
Michigan	90	388	20	44	101	223
Minnesota	99	179	3	12	29	136
Mississippi	35	223	15	31	73	105
Missouri	43%	571	18	23	154	376
Montana	90	94	1	16	19	58
Nebraska	73	104	1	13	32	59
Nevada	79	394	25	39	145	185
New Hamp.	81	101	0	15	25	61
New Jersey	97	691	7	30	253	402
New Mexico	56	382	4	15	55	308
New York	85	996	15	17	642	322
N. Carolina	97	396	14	13	72	298
N. Dakota	77	58	0	15	13	30
Ohio	66	372	7	41	155	168
Oklahoma	97	353	8	24	90	231
Oregon	95	338	5	27	130	177
Pennsylvania	84	463	9	26	185	243
Rhode Island	100	613	4	33	82	494
S. Carolina	96	200	6	20	28	147
S. Dakota	71	120	2	23	8	87
Tennessee	49	296	12	23	100	161
Texas	100	380	17	17	131	214
Utah	73	391	2	26	56	307
Vermont	53	36	3	9	3	21
Virginia	100	228	11	20	92	105
Washington	80	385	5	48	106	226
West Virginia	100	77	3	9	24	41
Wisconsin	98	376	16	21	149	190
Wyoming	95	82	2	10	5	65

Note: Reported rates for jurisdictions with less than complete reporting may not be accurate. Readers are encouraged to review the technical note at the end of this summary. Detail may not add to totals because of rounding.

Source: State rates were developed from data reported in *Crime in the United States 1992*.

Counties within a State exhibited diverse juvenile violent crime arrest rates in 1992



Note: Rates were classified as "Data not available" when agencies with jurisdiction over more than 50% of the population did not report.

Source: County rates were developed using *Uniform Crime Reporting Program data [United States]: County-level detailed arrest and offense data, 1992* [machine-readable data file] prepared by the Inter-university Consortium for Political and Social Research.

Arrests for Violent Crime Index offenses monitor violence levels in the juvenile population

The Violent Crime Index combines four offenses (murder/nonnegligent manslaughter, forcible rape, robbery, and aggravated assault). The Index is dominated by arrests for two of the four offenses — robbery and aggravated assault. In 1992, 93% of juvenile Violent Crime Index arrests were for robbery and aggravated assault. Thus, a jurisdiction with a high juvenile Violent Crime Index arrest rate does not necessarily have a high juvenile arrest rate in each component of the Index. For example, while New Jersey had one of the highest juvenile Violent Crime Index arrest rates in 1992, its juvenile murder arrest rate was below the national average.

After more than a decade of relative stability, the juvenile violent crime arrest rate soared between 1988 and 1992

The increase in the juvenile arrest rate for violent crimes began in the late 1980's

During the period from 1973 through 1988 the number of juvenile arrests for a Violent Crime Index offense (murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault) varied with the changing size of the juvenile population. However, in 1989, the juvenile violent crime arrest rate broke out of this historic range.

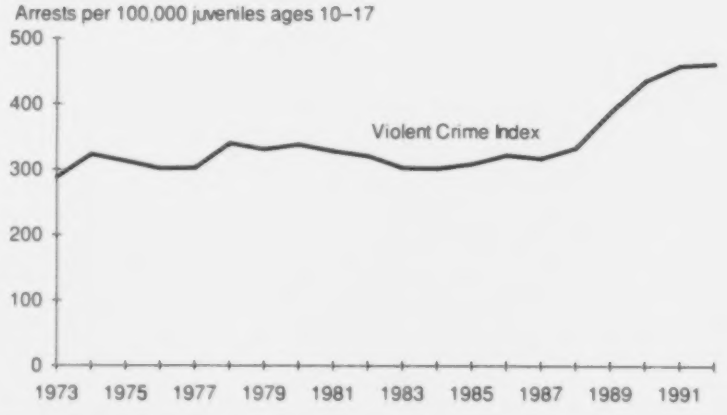
The years between 1988 and 1991 saw a 38% increase in the rate of juvenile arrests for violent crimes. The rate of increase then diminished, with the juvenile arrest rate increasing little between 1991 and 1992. This rapid growth over a relatively short period moved the juvenile arrest rate for violent crime in 1992 far above any year since the mid-1960's, the earliest time period for which comparable statistics are available.

The juvenile violent crime arrest rate increased substantially in all racial groups in recent years

In 1983 the violent crime arrest rate for black youth was nearly 7 times the white rate. Between 1983 and 1992 the white arrest rate increased more than the black arrest rate increased (82% vs. 43%). As a result, in 1992 the rate of violent crime arrests for black youth was about 5 times the white rate.

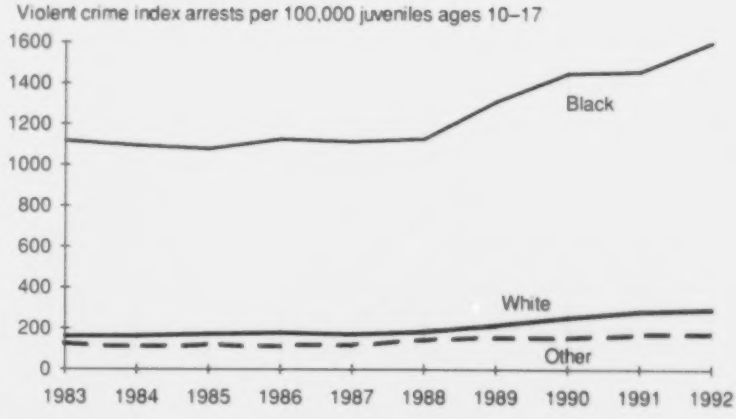
Over the 10-year period from 1983 through 1992, the violent crime arrest rate for youth of other races increased 42%, nearly equal to the increase in the black rate.

From 1973 through 1988 the juvenile arrest rates for violent crimes remained relatively constant, but these rates have climbed rapidly in recent years



Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

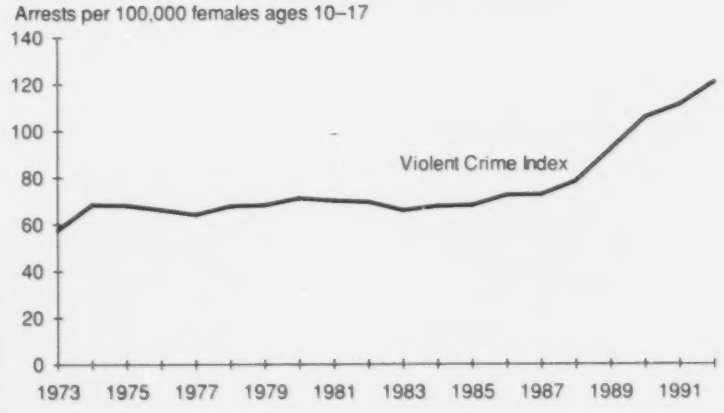
The rapid growth in violent crime arrest rates between 1988 and 1992 is found in all racial groups



■ In absolute terms, the black rate grew much more than the white rate. That is, a typical 100,000 white juveniles experienced 110 more arrests in 1992 than in 1983, while a comparable group of black juveniles experienced 470 more arrests for a violent crime.

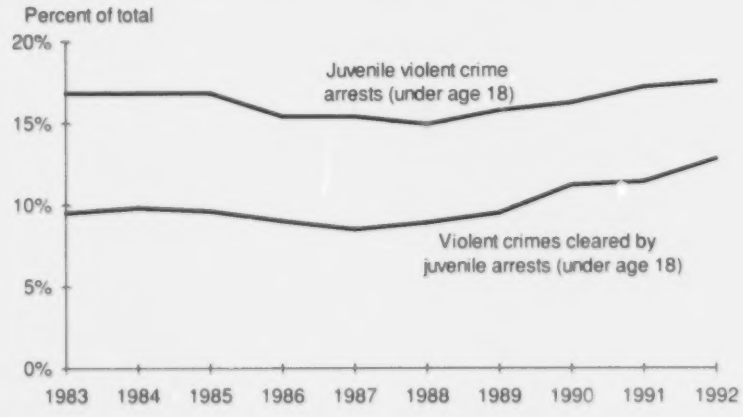
Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

Arrest rates for female juveniles charged with a violent crime, while far below the male juvenile rates, followed the male trends — stable from the mid 1970's to the late 1980's then increasing substantially



Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

The juvenile proportion of both violent crime arrests and violent crimes cleared by juvenile arrests increased sharply in the late 1980's



Sources: FBI. (1984–1993). *Crime in the United States* series.

Females were involved in 1 in 8 juvenile violent crime arrests in 1992

From the 1960's through most of the 1980's, the percentage of juvenile violent crime arrests involving females fluctuated between 9% and 11%. Between 1983 and 1992 the female arrest rate increased 83%, while the male rate increased 49%. As a result, females accounted for 13% of all juvenile violent crime arrests in 1992.

Juvenile responsibility for violent crime has increased in the past few years

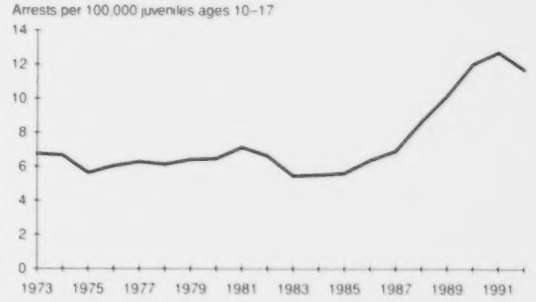
During the 1970's and 1980's the proportion of violent crimes cleared by juvenile arrest declined with the declining juvenile population in the U.S. In fact, the juvenile responsibility for violent crime reached its lowest level in 20 years in 1987. After this low point, the responsibility of juveniles for violent crime began to increase, with the rate moving up 4 percentage points between 1987 and 1992, returning to the levels of the early 1970's.

In 1992, as in previous years, the juvenile proportion of all violent crime arrests was above their clearance proportion — 18% of violent arrests compared with 13% of violent crimes cleared. Therefore, while juveniles may have been responsible for about 1 in 8 violent crimes in 1992, juveniles accounted for more than 1 in 6 persons entering the justice system charged with a violent offense.

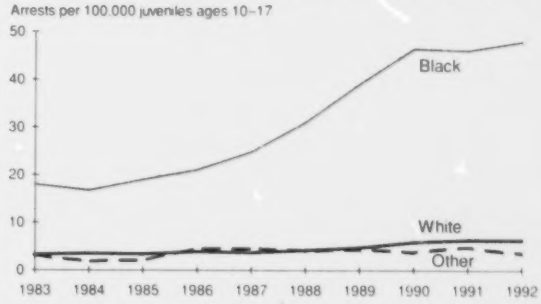
Trends in juvenile arrests for specific violent crimes show different patterns

Murder/Nonnegligent Manslaughter

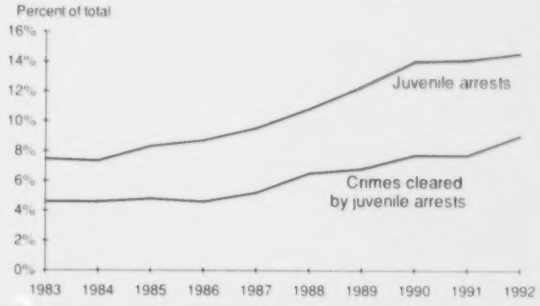
The juvenile arrest rate varied little from 1973 to 1987, but increased 84% from 1987 to 1991, before it dropped in 1992 for the first time in 8 years.



The disparity between white and black arrest rates increased between 1983 and 1992, with the black rate increasing more than the white rate (166% vs. 94%).



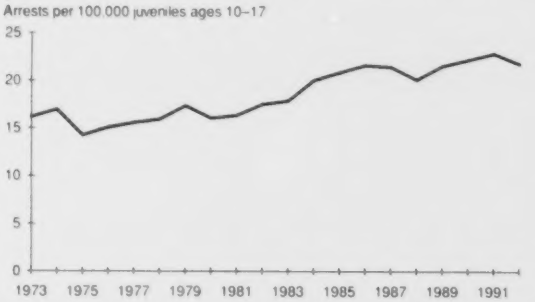
Paralleling the growth in juvenile arrest rates, the juvenile proportion of murders cleared grew from 5% in 1983 to 9% in 1992.



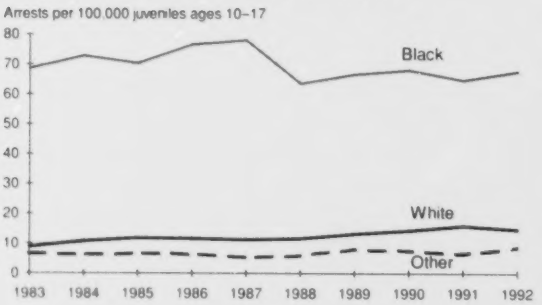
Sources: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992*. FBI. (1984–1993). *Crime in the United States* series.

Forcible Rape

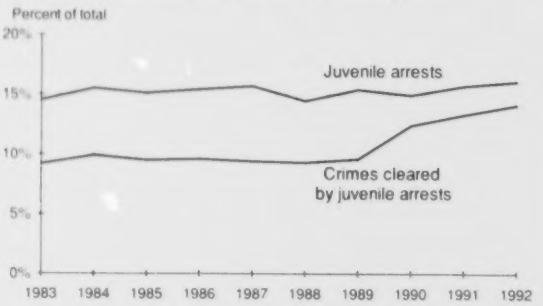
Unlike the Violent Crime Index trend, the juvenile arrest rate for forcible rape has increased gradually since the mid 1970's.



Between 1983 and 1992, the arrest rate of black youth for forcible rape showed no consistent trends, while the comparatively low white rate increased 66%.



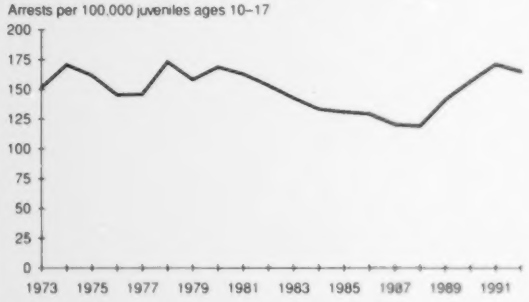
While juveniles were involved in about 15% of forcible rape arrests between 1983 and 1992, the percentage of forcible rapes cleared by juvenile arrests grew.



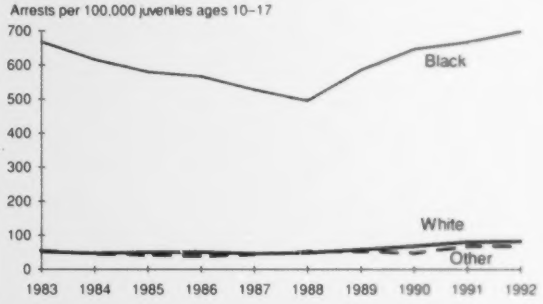
Sources: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992*. FBI. (1984–1993). *Crime in the United States* series.

Robbery

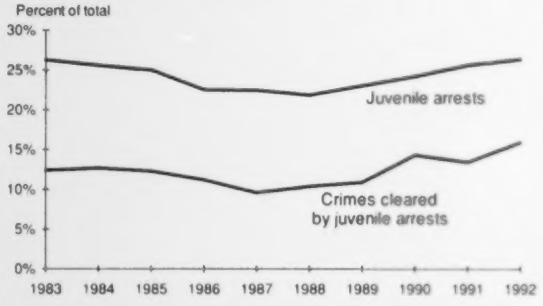
Unlike the trends for other violent crimes, juvenile robbery arrest rates declined during most of the 1980's before reversing in 1989 and returning to 1980 levels.



The disparity between black and white arrest rates was greater for robbery than for any of the other three Violent Crime Index offenses.



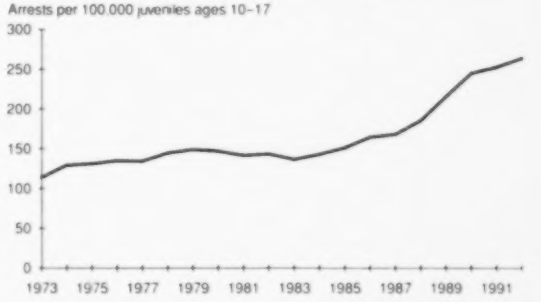
Between 1983 and 1992 the juvenile proportion of robbery arrests declined and then, in the late 1980's, increased to earlier levels.



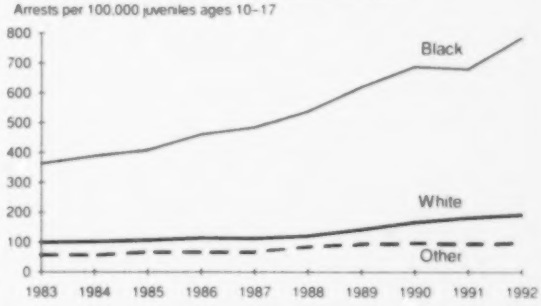
Sources: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992*. FBI. (1984–1993). *Crime in the United States* series.

Aggravated Assault

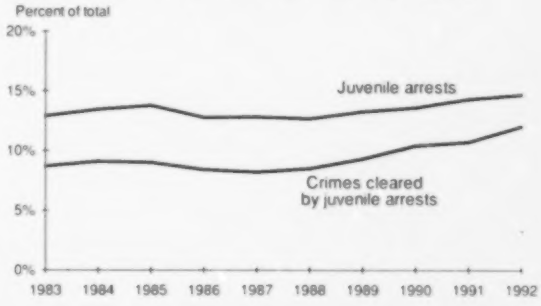
Juvenile arrest rates for aggravated assault remained relatively constant from the mid 1970's through the mid 1980's before increasing sharply through 1992.



Juvenile arrest rates for aggravated assault increased substantially across all racial groups — 94% for whites, 116% for blacks, and 66% for other races.



With large increases in both juvenile and adult rates between 1983 and 1992, the juvenile proportion of aggravated assault arrests increased only slightly.



Sources: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992*. FBI. (1984–1993). *Crime in the United States* series.

After a decade of gradual increase, the juvenile arrest rate for weapons violations increased 75% between 1987 and 1992

A weapons law violation was the most serious charge in 54,000 juvenile arrests in 1992

There were more juvenile arrests for weapons law violations in 1992 than for murder, forcible rape, and robbery combined. A weapons law violation was the most serious charge in 54,000 juvenile arrests. Many more juvenile arrests actually involved a weapons law violation but, following the FBI's reporting procedures, an arrest is classified under the most serious offense involved (e.g., aggravated assault, robbery, forcible rape, and murder).

Juvenile arrests for weapons law violations more than doubled between 1983 and 1992

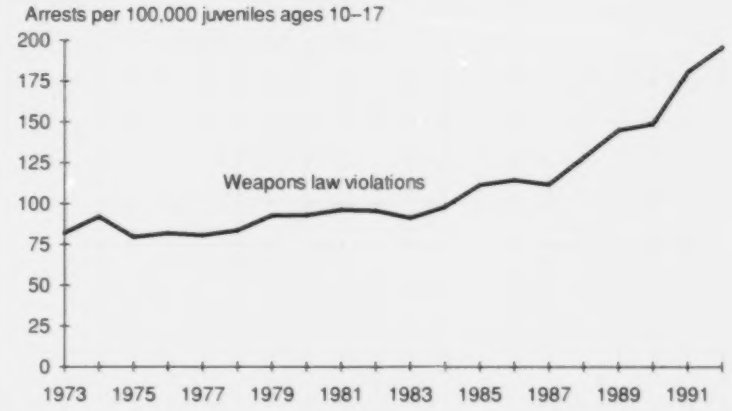
Between 1983 and 1992 the adult arrests increased 21%, while juvenile arrests increased 117%. During this same time period, juvenile murder arrests rose 128% and aggravated assault arrests rose 95%, while arrests for other assaults increased 106%. These large increases in juvenile arrests reflect a growing involvement of juveniles in violent crime.

As juveniles age, the probability that their murderer will use a firearm increases substantially

The proportion of victims killed by firearms in 1992 varied with the age of the victim:

- 4% of victims under age 1.
- 15% of victims ages 1–4.
- 37% of victims ages 5–9.
- 72% of victims ages 10–14.
- 85% of victims ages 15–17.

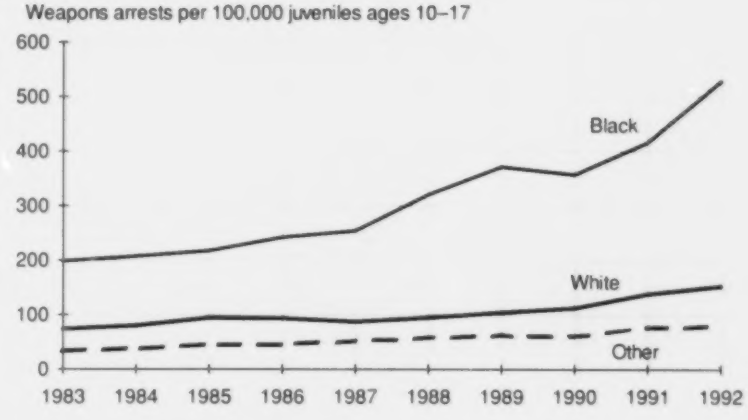
The 20-year trend in the rate of juvenile arrests for weapons law violations closely parallels the juvenile arrest trend for murder



- It took 12 years (from 1975 to 1987) for the juvenile arrest rate for weapons offenses to increase 25%. In comparison, it took just 2 years (from 1987 to 1989) for the rate to increase another 25%, and then just 2 more years (from 1989 to 1991) for another 25% increase.

Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

Juvenile arrest rates for weapons law violations more than doubled between 1983 and 1992 in each racial group



- The increase for black juveniles (167%) was greater than the increases for whites (106%) and for youth of other races (129%).

Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

With some notable exceptions, percentage increases in juvenile and adult arrests have been roughly similar over the past 10 years

Between 1983 and 1992 the percentage growth in juvenile arrests for murder, weapons law violations, and motor vehicle theft far surpassed the growth in adult arrests

	Percent change in arrests					
	1991–1992		1988–1992		1983–1992	
	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult
Total	**3%**	**-1%**	**11%**	**6%**	**17%**	**21%**
Crime Index Total	1	-2	12	5	16	25
Violent Crime Index	5	2	47	19	57	50
Murder	0	-6	51	9	128	9
Forcible rape	2	-2	17	3	25	14
Robbery	1	-2	50	13	22	21
Aggravated assault	8	4	49	23	95	69
Property Crime Index	0	-4	8	1	11	16
Burglary	-1	-3	1	-3	-20	-3
Larceny-theft	0	-4	8	2	13	21
Motor vehicle theft	-4	-4	12	-5	120	45
Arson	8	-3	25	-7	26	-18
Nonindex offenses	4	0	11	6	18	20
Other assaults	9	5	49	26	106	113
Forgery	-3	4	5	8	9	25
Fraud	10	0	-2	17	-41	31
Embezzlement	3	1	-38	-13	35	53
Stolen property	-4	-2	6	-2	39	21
Vandalism	5	-3	28	7	34	32
Weapons	16	5	66	13	117	21
Prostitution	-8	-4	-27	-1	-54	-17
Sex offense	10	4	28	6	41	22
Drug abuse	14	7	-10	0	7	64
Gambling	15	3	52	-17	25	-58
Against the family	27	7	53	56	212	79
Driving under influence	-19	-8	-37	-6	-52	-18
Liquor law violations	-12	-13	-24	-14	-12	12
Drunkenness	-14	-6	-26	-4	-47	-31
Disorderly conduct	6	-1	24	1	35	6
Vagrancy	57	-14	38	-8	36	-11
All other offenses (except traffic)	6	4	11	16	3	55
Curfew	1	*	5	*	9	*
Runaways	4	*	13	*	31	*

■ Because the absolute number of juvenile arrests is far below the adult level, a larger percentage increase in juvenile arrests does not necessarily imply a larger increase in the actual number of arrests. For example, while the **percentage** increase in juvenile arrests for a weapons law violation was much greater than the adult increase between 1983 and 1992, the increase in the **number** of arrests was 9% greater for adults.

* Not applicable to adults.

Source: FBI. (1993). *Crime in the United States 1992.*

Persons arrested in 1992 were, on average, older than those arrested in 1972

Offense	Average age of arrestees	
	1972	1992
Violent Crime Index	26.2	27.6
Murder	29.7	27.2
Forcible rape	24.8	28.6
Robbery	22.0	24.1
Aggravated assault	29.0	28.8
Property Crime Index	21.1	25.1
Burglary	19.9	23.5
Larceny-theft	21.8	26.2
Motor vehicle theft	20.1	21.8
Arson	20.5	22.8
Weapons	29.1	26.0
Drug abuse	22.3	28.5

Source: FBI. (1993). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965-1992.*

Between 1972 and 1992 the average age of the U.S. population increased by nearly 3 years. Generally following this increase in the general population, the average age of persons arrested in 1992 for larceny-theft, forcible rape, and burglary was nearly 4 years older than those arrested in 1972.

The increase in the average age of those arrested for a drug abuse violation was greater than the increase in the general population; those arrested for a drug abuse violation were nearly 6 years older.

Even with the aging of the U.S. population, the larger percentage increases in juvenile arrests for murder and weapons law violations resulted in a decline in the average age of arrestees in these crime categories. On average, 1992 arrestees were nearly 3 years younger than those arrested for these crimes in 1972.

Although adults were responsible for most of the recent violent crime increases, juveniles contributed more than their fair share

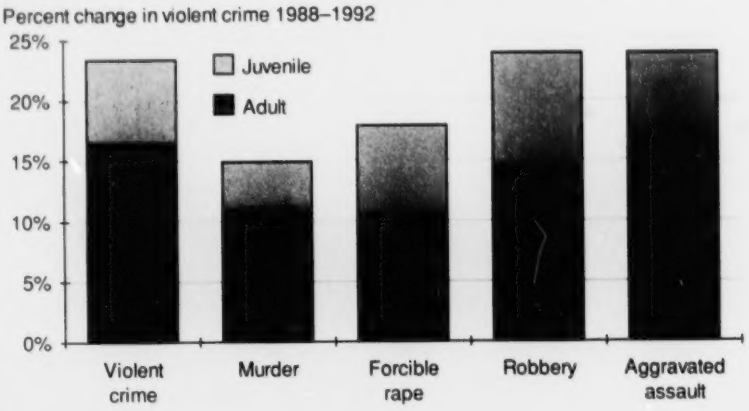
Users of reported crime and arrest statistics face difficult interpretation problems

Violent crime is increasing and, based on their representation in the general population, juveniles are responsible for a disproportionate share of this increase. But is it accurate to say that juveniles are driving the violent crime trends?

The number of violent crimes reported to law enforcement agencies increased 23% between 1988 and 1992. Knowing that over this same period, juvenile arrests for violent crime grew 47%, while adult arrests for violent crimes increased 19%, it is easy to conclude that juveniles were responsible for most of the increase in violent crime. However, even though the percentage increase in juvenile arrests was more than double the adult increase, the growth in violent crime cannot be attributed primarily to juveniles.

An example shows how this apparent contradiction can occur. Of the 100 violent crimes committed in 1988 in a small town, assume that juveniles were responsible for 10, and adults for 90. If the number of juvenile crimes increased 50%, juveniles would be committing 15 (or 5 more) violent crimes in 1992. A 20% increase in adult violent crimes would mean that adults were committing 108 (or 18 more) violent crimes in 1992. If each crime resulted in an arrest, the percentage increase in juvenile arrests would be more than double the adult increase (50% versus 20%). However, nearly 80% of the increase in violent crime (18 of the 23 additional violent crimes) would have been committed by adults.

If juveniles had committed no more violent crimes in 1992 than in 1988, violent crime in the U.S. would have increased 16% instead of 23%



- Juveniles were responsible for one-quarter of the 15% increase in murders between 1988 and 1992. If murders by juveniles had remained constant over this period, murders in the U.S. would have increased 11%.

Source: FBI. (1993). *Crime in the United States 1992.*

Large percentage increases can yield relatively small overall changes. Juvenile arrests represent a relatively small fraction of the total; consequently, a large percentage increase in juvenile arrests does not necessarily translate into a large contribution to overall crime growth.

Adults responsible for 70% of recent increase in violent crimes

In 1988 the FBI reported juveniles were arrested in 9% of the violent crimes for which someone was arrested; this juvenile clearance percentage was 13% in 1992. If it is assumed that juveniles were responsible for similar percentages of the *unsolved* violent crimes in these years, then it is possible to estimate the number of crimes committed by juveniles and by adults in 1988 and 1992.

From FBI reported crime and clearance statistics, it was estimated that juveniles committed 108,000 more Violent Crime Index offenses in 1992 than in 1988, while adults committed an additional 258,000. Therefore, juveniles were responsible for 30% of the growth in violent crime between 1988 and 1992. Between 1988 and 1992 juveniles were responsible for 26% of the increase in murders, 41% of the increase in forcible rapes, 39% of the increase in robberies, and 27% of the increase in aggravated assaults. Juveniles contributed less to the increase in murder than to the increases in other violent crimes.

If trends continue as they have over the past 10 years, juvenile arrests for violent crime will double by the year 2010

Age-specific arrest rates provide a clearer picture of arrest trends

The media and the public often use arrest trends to assess the relative changes in juvenile and adult criminal behavior. Arrest trends are simple to report — *juvenile violent crime arrests up 47% in past 5 years* — but they are notoriously difficult to interpret. First, interpretations are complicated by population changes, which can be considerable, even over a short time period, for the few high-crime-generating age groups. For example, how differently would the increase in juvenile arrests from 1983 to 1992 be viewed if it were known that the number of 16- and 17-year-olds in the U.S. population declined by 10% over this period?

Also, juvenile and adult arrest trends lump everyone into one of two groups. This ignores important variations within the groups that may provide important information to understand these trends.

A better method for comparing arrest patterns is to compare annual, age-specific arrest rates — for example, the number of arrests of a typical group of 100,000 17-year-olds in 1983 and in 1992. Arrest rates control for the impact of population growth or decline on arrests. They also break down the juvenile and adult groups into smaller pieces so that changes in younger and older juveniles and adults can be studied independently. Age-specific arrest rates can also be used to project the number of future arrests if certain assumptions are made and projections of population growth are available.

How many juvenile violent crime arrests will there be in the year 2010?

Estimates of future juvenile arrests for violent crime vary widely. The accuracy of these estimates relies on the appropriateness of each estimate's underlying assumptions and the accuracy of existing data. For this report, two sets of estimates were developed using different assumptions. Both sets are based on age-specific arrest rates and projected population growth (controlling for racial differences).

The first set of estimates assumes that the rates of juvenile violent crime arrests in 2010 will be equal to the rates in 1992. Under this assumption, the number of violent juvenile crime arrests is projected to increase 22% between 1992 and 2010. This increase corresponds to the projected growth in the juvenile population ages of 10 to 17. Projected increases would be nearly equal in all offense categories.

In contrast to the "constant rate" assumption underlying the first set of projections, the second set of estimates assumes that juvenile violent crime arrest rates will increase annually between 1992 and 2010 in each offense category as they have in recent history (i.e., from 1983 to 1992).

Assuming both population growth and continuing increases in arrest rates, the number of juvenile violent crime arrests is expected to double by 2010. The projected growth varies across crime categories. If current trends continue, by the year 2010 the number of juvenile arrests for murder is expected to increase 145% over the 1992 level. Projected increases are less than half as great for forcible rape (66%) and robbery (58%).

Juvenile arrest projections vary with the nature of underlying assumptions

		Projections assuming no change in arrest rates from 1992 to 2010		Projections assuming annual changes in arrest rates equal to the average increases from 1983 to 1992	
Offense	Juvenile arrests in 1992	Juvenile arrests in 2010	Increase over 1992	Juvenile arrests in 2010	Increase over 1992
Violent Crime Index	129,600	158,600	22%	261,000	101%
Murder	3,300	4,100	23	8,100	145
Forcible rape	6,300	7,700	22	10,400	66
Robbery	45,700	56,600	24	72,200	58
Aggravated assault	74,400	90,200	21	170,300	129

- If juvenile arrest rates remain constant through the year 2010, the number of juvenile arrests for violent crime will increase by one-fifth; if rates increase as they have in recent history, juvenile violent crime arrests will double.

Note: Both series of estimates control for racial variations in population growth.

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The increase in violent crime arrest rates is disproportionate for juveniles and young adults

Violent crime arrest rates have increased in all age groups

Over the 10-year period from 1983 to 1992, arrest rates for Violent Crime Index offenses increased substantially for juveniles as well as adults. Juveniles had the largest increases (averaging nearly 60%), but even the rates for persons ages 35 to 39 increased 47%.

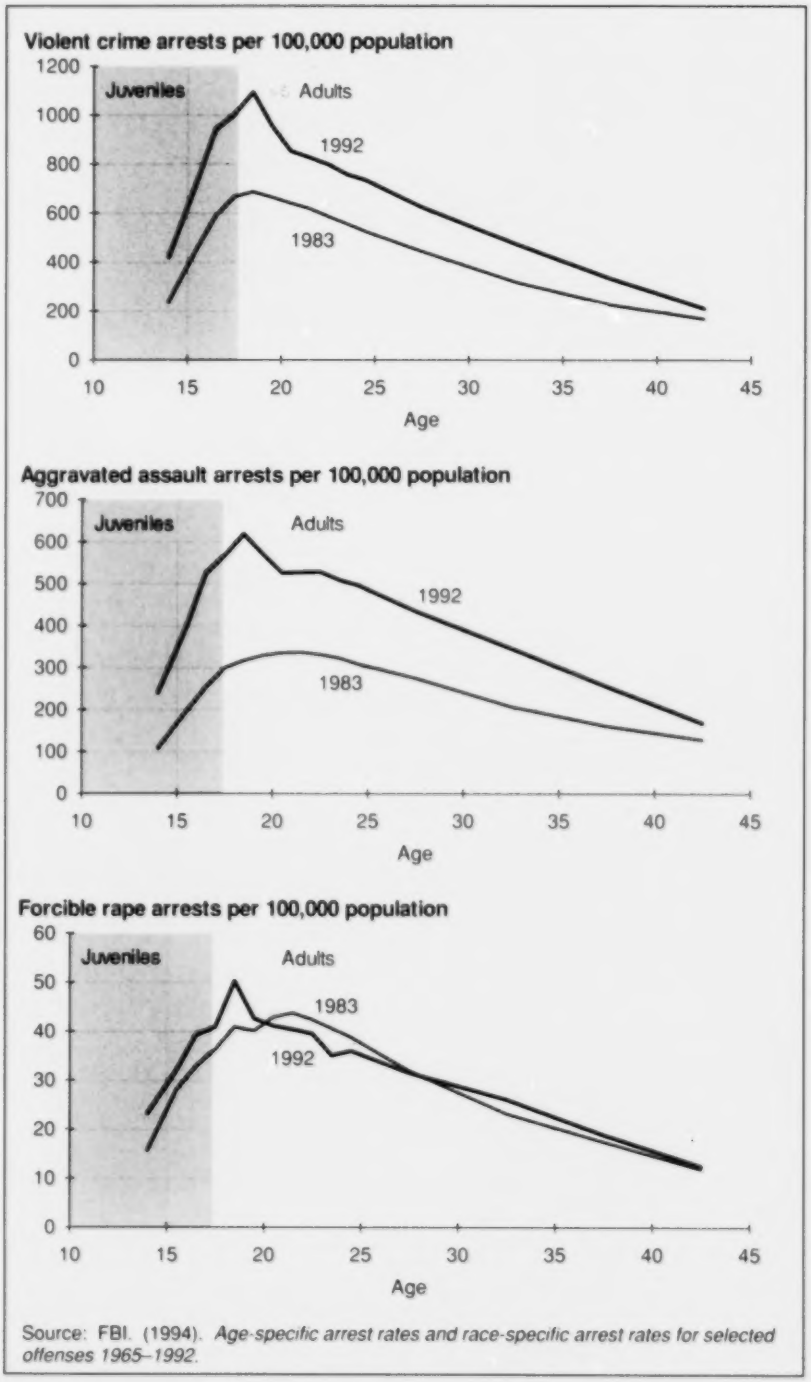
The Violent Crime Index treats each of its four offenses equally — an arrest for aggravated assault is counted the same as an arrest for murder. While this may be reasonable statistically, these four crimes raise different concerns and should be understood separately.

Aggravated assault arrest rates increased most for juveniles and young adults

In 1992 arrests for aggravated assault were 68% of all Violent Crime Index arrests. Thus, changes in violent crime arrest rates primarily reflected changes in aggravated assaults. As with violent crime overall, aggravated assault arrest rates increased substantially between 1983 and 1992 in all age groups, with juvenile rates up about 100% and the rates for persons in their twenties up about 60%.

Forcible rape arrest rates increased far less than other violent crimes

In contrast to the overall violent crime and aggravated assault patterns, forcible rape arrest rates for juveniles grew between 1983 and 1992 by a relatively small 20%, while actually declining for persons in their twenties.



Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

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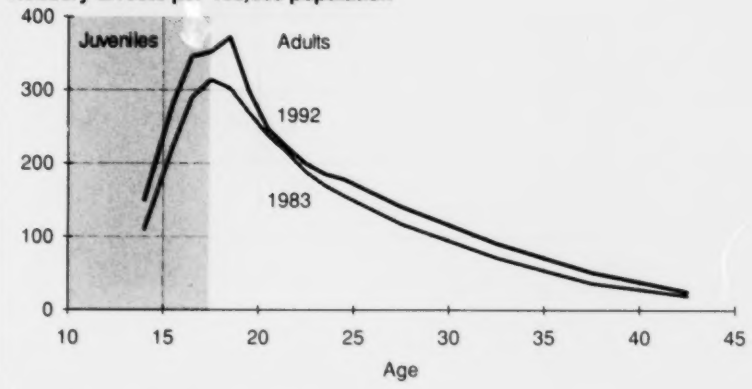

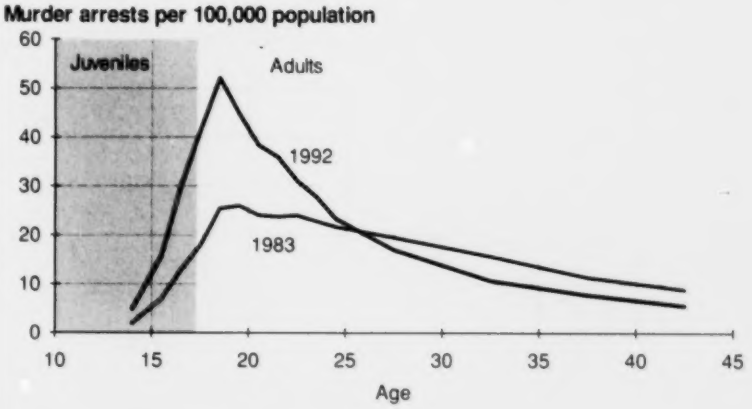

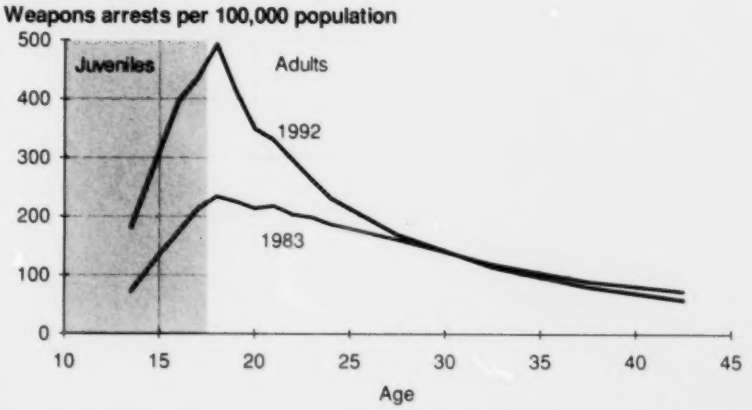

Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

Robbery arrest rates increased much less than aggravated assault arrest rates

Robbery arrest rates increased in all age groups from 1983 to 1992. However, the growth was less than half of violent crime overall. The age groups with the smallest increases were those in their early twenties, with the juvenile increases similar to those of persons above age 25.

Murder rates declined in most age groups from 1983 to 1992

In 1992 persons above age 25 were arrested for murder at substantially lower rates than they were in 1983. For example, the murder arrest rate for persons ages 35–45 declined nearly 25% over the 10-year period. In stark contrast, murder arrest rates for juveniles and young adults soared, with increases far greater than in any other violent crime category. The average increase for juveniles was double the average increase for young adults.

The fact that murder arrests for all adults increased just 9% between 1983 and 1992 masks two very different trends within the adult age group. The substantial declines in murder arrest rates for adults above their midtwenties almost offset the very large increases in murder arrests of young adults.

As in all violent crimes, 18-year-olds had the highest arrest rate for murder in 1992. However, the pattern of age-related growth in murder arrest rates was not mirrored in any other violent offense, but was paralleled in weapons arrests.

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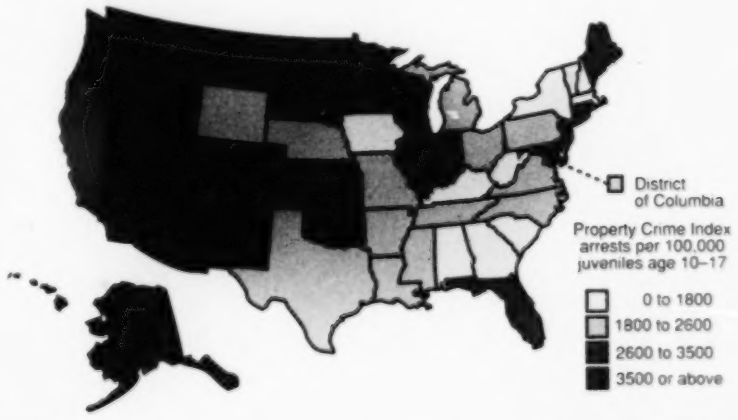
In 1992 the States of Utah, Wisconsin, Washington, Colorado, and Idaho had the highest juvenile property crime arrest rates

In 1992 the States of Florida and Arizona had the highest juvenile arrest rates for burglary; the States of Maryland and Hawaii had the highest juvenile arrest rates for motor vehicle theft.

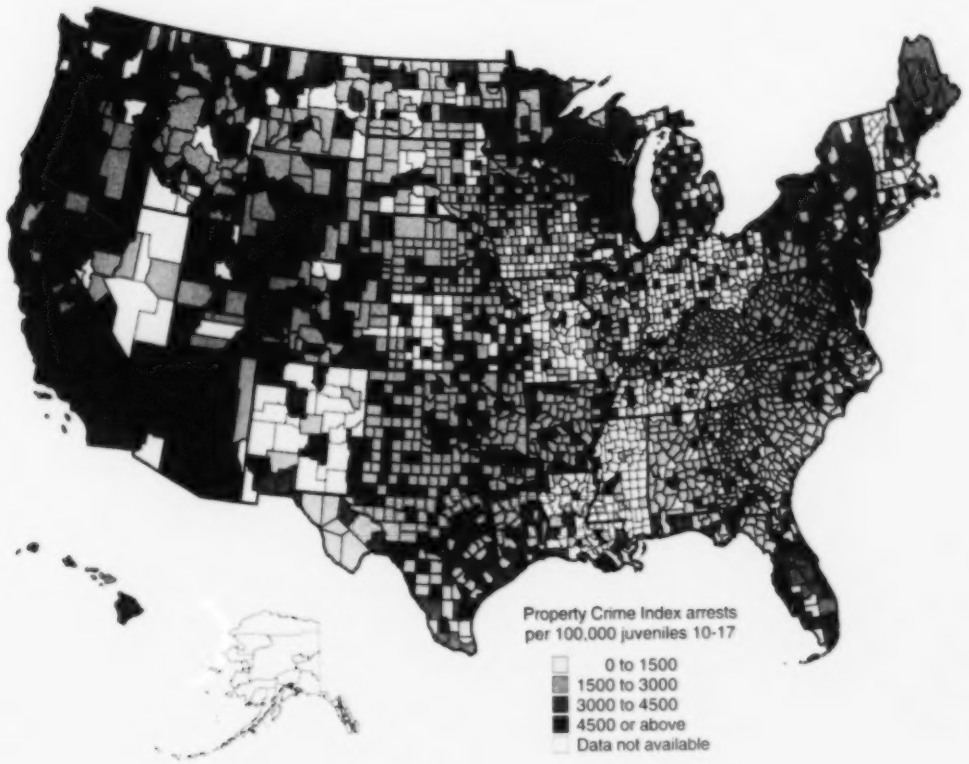
State	% Reporting	Arrests per 100,000 juveniles ages 10–17: Property Crime Index	Burglary	Larceny	Motor Vehicle Theft	Arson
Total U.S.	83	2,578	519	1,704	321	34
Alabama	93	1,069	189	794	80	6
Alaska	94	3,566	531	2,728	299	9
Arizona	94	4,055	849	2,678	480	49
Arkansas	100	1,893	465	1,293	118	17
California	99	2,714	755	1,375	545	39
Colorado	92	4,398	535	3,496	303	64
Connecticut	82	3,135	652	1,956	479	48
Delaware	54	1,773	477	1,190	70	36
Dist. of Columbia	100	1,858	139	288	1,403	27
Florida	92	3,310	869	1,946	480	16
Georgia	72	1,613	352	1,095	150	16
Hawaii	100	3,898	764	2,506	600	28
Idaho	88	4,320	736	3,327	200	57
Illinois	42	3,167	496	2,464	161	45
Indiana	51	2,617	353	1,965	271	28
Iowa	64	1,261	178	984	75	24
Kansas	77	3,199	663	2,339	158	39
Kentucky	96	1,758	393	1,182	160	22
Louisiana	60	2,382	537	1,610	203	31
Maine	82	3,477	707	2,553	160	57
Maryland	100	3,071	554	1,702	758	56
Mass.	66	1,188	365	596	214	14
Michigan	90	1,949	330	1,406	181	32
Minnesota	99	2,831	349	2,196	258	28
Mississippi	35	2,236	504	1,443	278	13
Missouri	43%	2,454	444	1,722	242	46
Montana	90	3,288	245	2,709	293	41
Nebraska	73	2,511	378	1,978	101	54
Nevada	79	3,416	688	2,504	194	30
New Hamp.	81	1,789	284	1,393	73	39
New Jersey	97	2,623	532	1,824	222	44
New Mexico	56	3,812	472	3,176	152	12
New York	85	1,727	328	1,148	224	27
N. Carolina	97	1,867	545	1,185	107	30
N. Dakota	77	3,458	363	2,795	275	25
Ohio	66	2,195	408	1,466	280	41
Oklahoma	97	2,655	535	1,739	319	62
Oregon	95	4,283	664	3,079	449	90
Pennsylvania	84	1,879	373	1,147	324	35
Rhode Island	100	2,639	579	1,651	321	88
S. Carolina	96	620	146	404	64	5
S. Dakota	71	3,525	356	2,954	158	57
Tennessee	49	2,319	365	1,796	141	18
Texas	100	2,467	537	1,570	341	18
Utah	73	5,612	659	4,403	469	80
Vermont	53	691	321	340	24	6
Virginia	100	2,110	367	1,451	267	25
Washington	80	4,536	723	3,382	387	43
West Virginia	100	1,102	240	742	97	23
Wisconsin	98	4,987	635	3,726	566	60
Wyoming	95	2,553	240	2,154	131	28

Note: Reported rates for jurisdictions with less than complete reporting may not be accurate. Readers are encouraged to review the technical note at the end of this summary. Detail may not add to totals because of rounding.

Source: State rates were developed from data reported in *Crime in the United States 1992*.


District of Columbia
Property Crime Index arrests per 100,000 juveniles age 10–17
0 to 1800
1800 to 2600
2600 to 3500
3500 or above

Juvenile behavior, justice system policy, and community attitudes influenced the magnitude of State and county juvenile property crime arrest rates in 1992



Note: Rates were classified as "Data not available" when agencies with jurisdiction over more than 50% of the population did not report.

Source: County rates were developed using *Uniform Crime Reporting Program data [United States]: County-level detailed arrest and offense data, 1992* [machine-readable data file] prepared by the Inter-university Consortium for Political and Social Research.

High juvenile violent crime arrest rates do not imply high property crime arrest rates

The three States with the highest juvenile arrest rates for Property Crime Index offenses (Utah, Wisconsin, and Washington) were ranked 19th, 25th, and 21st in juvenile arrests for Violent Crime Index offenses. States with high adult violent and property crime arrest rates do, however, tend to have high corresponding juvenile arrest rates.

In contrast to their violent arrest trends, juvenile arrest rates for property crimes were stable between the mid 1980's and 1992

Juvenile property crime arrest rates were at their lowest point in the past 20 years in 1984

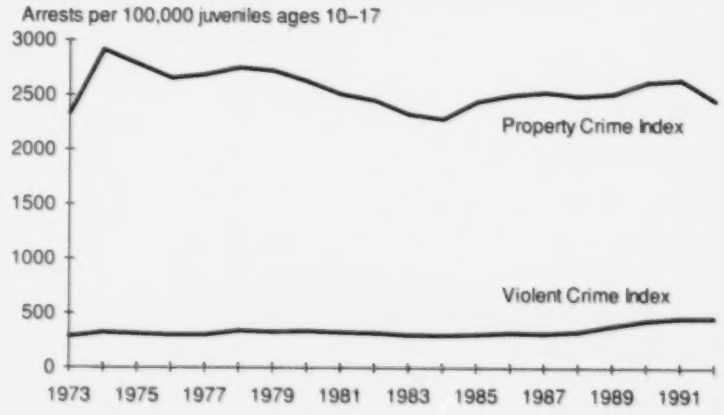
Law enforcement agencies made 29% fewer arrests of juveniles for Property Crime Index offenses (burglary, larceny-theft, motor vehicle theft, and arson) in 1983 than in 1974. Only about half of this decline can be explained by the 15% drop in the size of the U.S. population ages 10–17 during the same time period.

After these years of decline, the number of property arrests began to increase in 1985. Between 1983 and 1992, the number of juvenile arrests for a property crime increased 11%, while the juvenile population remained relatively constant. This increase was far less than the 57% growth in juvenile violent crime arrests during the same period.

The contrasting growth of violent and property arrest rates is common to all race groups

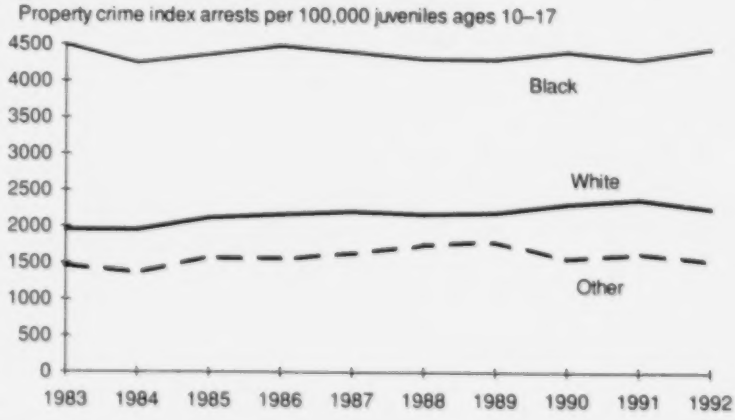
While property crime arrest rates of black youth have remained constant, the white arrest rate increased 16% in the 10-year period between 1983 and 1992. The relative stability in property crime arrest rates between 1983 and 1992 is in sharp contrast to the much larger increases in violent crime arrest rates for the same period — the 82% increase in violent crime arrests for white youth and the 43% increase for black youth. Similarly, while the violent crime arrest rate for youth of other races increased 42%, their property crime arrest rate increased only 5% over the 10-year period from 1983 through 1992.

The juvenile property crime arrest rate has remained relatively constant over time and in 1992 was 5 times greater than the violent crime rate



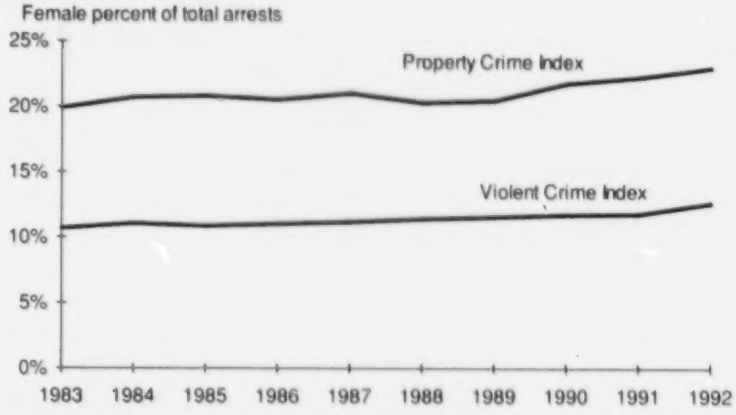
Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

Between 1983 and 1992 black youth were arrested for a Property Crime Index offense at twice the rate of white youth



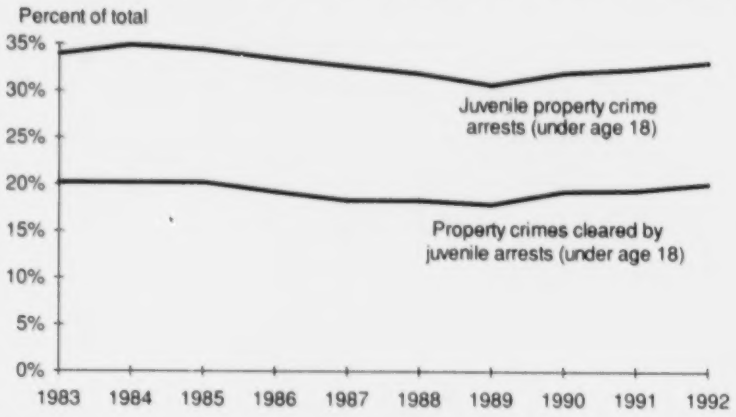
Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

The female proportion of juvenile arrests for property offenses is about double their share of violent crime arrests



Sources: FBI. (1984–1993). *Crime in the United States* series.

After reaching a low point in 1989, the juvenile proportion of property crime arrests and clearances returned in 1992 to levels of the early 1980's



Sources: FBI. (1984–1993). *Crime in the United States* series.

Recently the female arrest rate for property crimes increased more than the male rate

Between 1983 and 1992, while the number of juvenile male arrests for a property offense increased 7%, the number of juvenile female arrests increased 27%. The greater involvement of females in property crime arrests was not limited to the juvenile population; a similar increase is found in the adult arrest statistics.

The juvenile responsibility for property crimes changed little between 1983 and 1992

Based on clearance data, juveniles committed about 1 in 5 property crimes between 1983 and 1992. However, over this 10-year period about 1 in 3 persons arrested for a property offense was a juvenile. The arrest proportion is larger than the clearance proportion because juveniles are more likely than adults to commit crimes in groups and may be more easily apprehended.

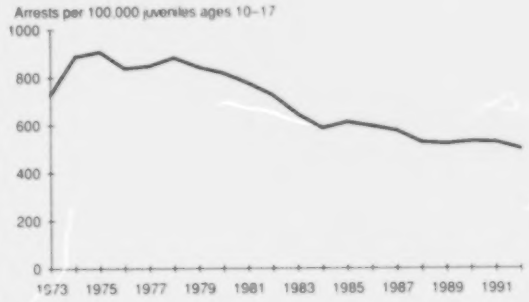
Property Crime Index arrest trends are dominated by the less serious larceny-theft offenses

Two-thirds of all juvenile Property Crime Index arrests in 1992 were for larceny-theft. Consequently, the Index trends follow closely the trends in larceny-theft. Over the past 20 years, the juvenile arrest trends for the more serious offenses of burglary and motor vehicle theft have been very different from the Index. Juvenile burglary arrest rates have dropped precipitously over the past 20 years, while motor vehicle theft arrest rates declined sharply before returning to, and then surpassing, their earlier levels.

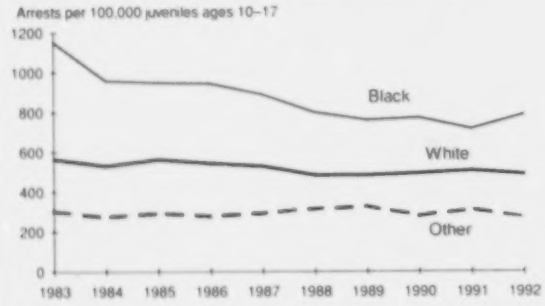
While juvenile burglaries have declined significantly in recent years, juvenile involvement in motor vehicle theft has increased

Burglary

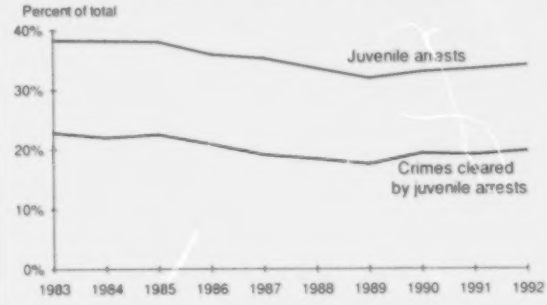
The juvenile arrest rate for burglary has declined for most of the past 20 years—the 1992 arrest rate was 44% below the rate in 1975.



Between 1983 and 1992 burglary arrest rates declined for all races, with the decline greater for blacks (32%) than for whites (14%) or for youth of other races (11%).



Juveniles were arrested in 1 in 5 burglaries cleared in 1992, a proportion that declined in recent years and was well below their proportion of burglary arrests.

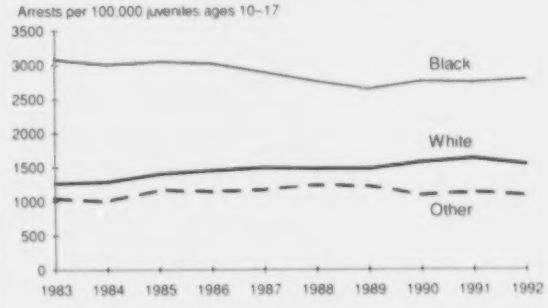


Sources: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992*. FBI. (1984–1993). *Crime in the United States* series.

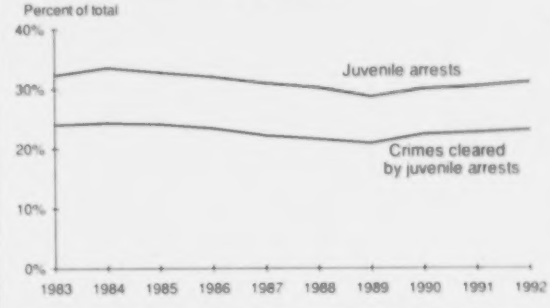
Larceny-Theft

The juvenile arrest rate for larceny-theft has fluctuated within a limited range for most of the past 20 years, increasing since the early 1980's.

Over the past 10 years, the arrest rate for black juveniles declined 10%, while the rate for whites increased 22% and the rate for other race juveniles grew 3%.



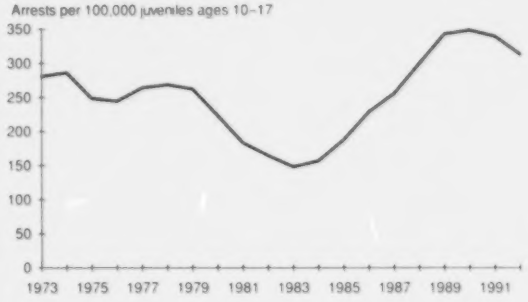
The juvenile proportion of larceny-theft arrests declined slightly over the past 10 years, as did the proportion of larceny-thefts attributed to juveniles.



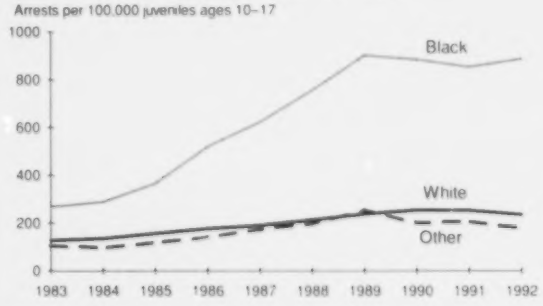
Sources: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992*. FBI. (1984–1993). *Crime in the United States* series.

Motor Vehicle Theft

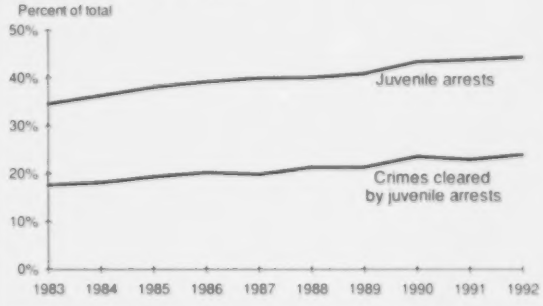
The juvenile arrest rate for motor vehicle theft showed a sharp decline in the early 1980's, followed by a sharper increase between 1984 and 1989.



All racial groups contributed to the doubling of juvenile arrest rates between 1983 and 1992: white (up 84%), black (up 231%), and other race (up 70%).



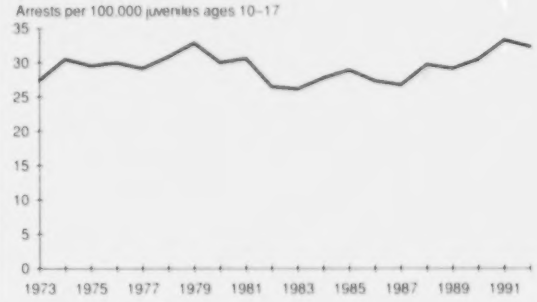
The juvenile proportion of arrests for motor vehicle theft grew from 35% in 1983 to 44% in 1992, as did juvenile responsibility for this crime.



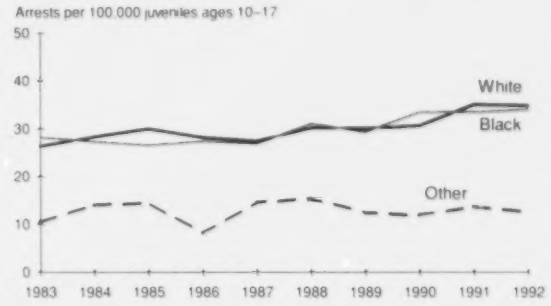
Sources: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992*. FBI. (1984–1993). *Crime in the United States* series.

Arson

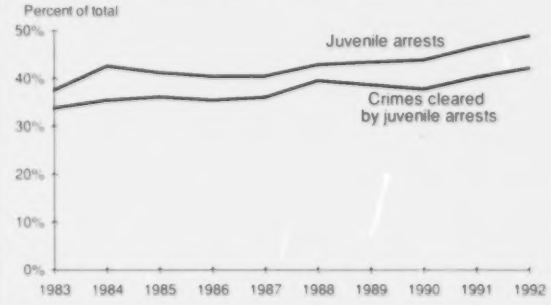
The arrest rate of juveniles for the crime of arson grew 21% between 1987 and 1992, returning to levels reported in the late 1970's.



Unlike each of the other crimes in the Property Crime Index, arson arrest rates for white and black juveniles were essentially equal between 1983 and 1992.



Arson is more of a juvenile offense than any other crime in the Property Crime Index, and juvenile arrest and clearance proportions grew over the past 10 years.



Sources: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992*. FBI. (1984–1993). *Crime in the United States* series.

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The 1980's witnessed a significant change in patterns of juvenile arrests for drug abuse violations with the emergence of crack

From the mid 1970's through the mid 1980's juvenile drug abuse arrest rates dropped by half

During this period the magnitude of arrest rates for whites and blacks were similar; in fact from 1973 through 1980, the white arrest rate for drug abuse violations was higher than the rate for blacks. The decline in drug arrest rates from 1975 to 1985 can be attributed to a change in the rate at which juveniles, particularly white juveniles, were arrested for marijuana offenses.

	Juvenile arrests per 100,000		
	1975	1985	1990
Marijuana			
White	436	285	131
Black	313	378	199
Other	246	160	25
Cocaine/Heroin			
White	14	42	68
Black	36	121	766
Other	21	7	6

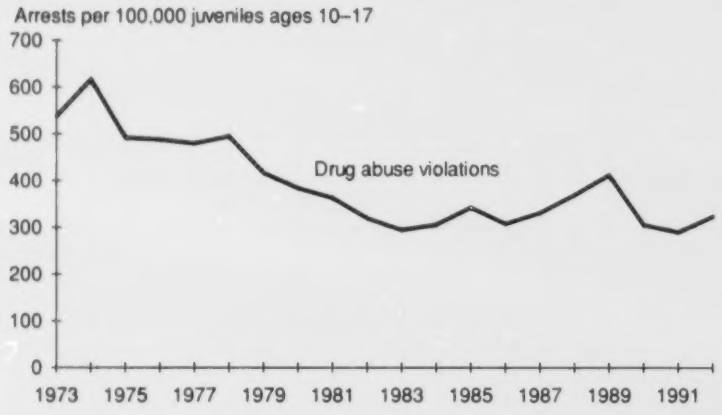
Source: FBI. (1992). *Crime in United States 1991.*

While the arrest rate for white youth continued to decline, the black rate grew substantially after 1985. The overall growth in the black rate was driven by huge increases in cocaine/heroin arrests.

In 1980 juveniles accounted for 19% of the drug abuse violation arrests; by 1992 the juvenile proportion had declined to 8%

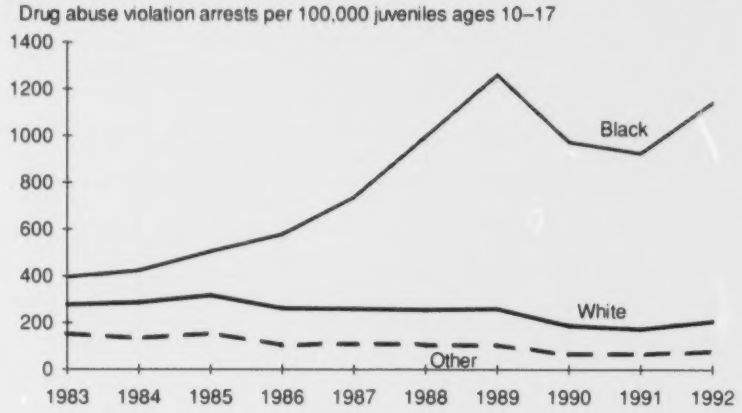
Over this same period the female proportion of juvenile drug arrests also declined from 16% to 11%. Both of these changes are likely to be related to the decline in arrests for marijuana.

The juvenile arrest rate for drug abuse violations in 1992 was far below the levels of the 1970's and near the low point of the mid 1980's



Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

After being nearly equal in the early 1980's, white and black arrest rates began to diverge, so that by 1992 the black rate was more than 5 times the white rate



Source: FBI. (1994). *Age-specific arrest rates and race-specific arrest rates for selected offenses 1965–1992.*

What do police do with the juveniles they arrest?

Most large law enforcement agencies have specialized units concentrating on juvenile justice issues

A national survey of law enforcement agencies conducted in 1990 asked large police departments and sheriffs' departments (those with 100 or more sworn officers) about the types of special units they operate. A large proportion reported that they had special units targeting juvenile justice concerns, although neither the level of staffing nor the effectiveness of these units were addressed.

	Type of agency	
Special units	Police	Sheriff
Drug education in schools	93%	82%
Juvenile crime	89	59
Child abuse	79	65
Missing children	74	61
Gangs	60	47
Domestic violence	45	40

Sources: Reaves. B. (1992). Sheriffs' departments 1990. *BJS Bulletin.* Reaves, B. (1992). State and local police departments, 1990. *BJS Bulletin.*

A large proportion of these agencies also reported that they had written policy directives for handling juveniles (95% of police and 86% of sheriffs' departments) and for handling domestic violence/spousal abuse events (93% of police and 77% of sheriffs' departments).

On a typical day about 750 juveniles are admitted to police lockups

Lockups are the temporary holding facilities maintained by law enforcement agencies. Twenty-nine percent of local police departments in 1990 operated a lockup facility separately from a jail. While the average capacity of these lockups was 8 inmates, the range was quite broad. While the average capacity of lockups was only 5 in communities with populations under 10,000, the average capacity of lockups was more than 160 in communities with populations more than 1 million.

The national survey asked departments that administered these facilities for the number of juveniles they had admitted on Friday, June 29, 1990. It was estimated that approximately 750, or 4% of persons admitted to lockups on this day, were classified by State law as juveniles. Assuming that, on average, about 6,000 juveniles were arrested per day in 1990, this means that roughly 1 in 10 were placed in lockups. While most stays are short, this volume of admissions implies that a substantial portion of all juveniles in custody are held in police lockups.

Most juveniles arrested in 1992 were referred to court for prosecution

The FBI's Uniform Crime Reporting Program asks law enforcement agencies to report their responses to the *juveniles* they take into custody. This is the only component of the UCR Program that is sensitive to State variations in the definition of a juvenile. Consequently, in New York, law enforcement agencies report their responses to those persons arrested who were younger than age 16 at the time of arrest; in Illinois and Texas the reports are for arrestees younger than age 17, while in most other States the reports captured the dispositions of arrests of persons younger than age 18.

Thirty percent of juveniles taken into custody by law enforcement in 1992 were handled within the department and released. These juveniles were warned by police and then released, usually to parents, other relatives, or friends. In some jurisdictions, the law enforcement agency may operate its own diversion programs that may provide some intervention services to juveniles. Another 3% of arrested juveniles were either referred to another law enforcement agency or to a welfare agency.

The remaining juveniles, more than 2 in 3 arrested, were referred to court intake, the next step in the justice system. Most of these juveniles (93%) were referred to a juvenile court or a juvenile probation department. However, law enforcement agencies reported in 1992 that 7% were referred to criminal courts for prosecution as an adult.

Juveniles arrested in small cities and in rural areas were more likely than those in large urban centers to be referred to a criminal court. For example, in 1992 only 1.4% of juveniles referred for prosecution in cities with populations more than 250,000 were sent to criminal courts, compared with 9.6% in rural counties and 12.4% in cities with populations less than 10,000.

Sources

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Technical Note

While juvenile arrest rates reflect juvenile behavior, many other factors can affect the size of these rates.

Arrest rates are calculated by dividing the number of youth arrests made in the year by the number of youth living in the jurisdiction. Therefore, jurisdictions that arrest a relatively large number of nonresident juveniles would have a higher arrest rate than a jurisdiction whose resident youth behave in an identical manner.

Jurisdictions, especially small jurisdictions, that are vacation destinations or that are centers for economic activity in a region may have arrest rates that reflect more than the behavior of their resident youth.

Other factors that influence the magnitude of arrest rates in a given area include the attitudes of its citizens toward crime, the policies of the jurisdiction's law enforcement agencies, and the policies of other components of the justice system. Consequently, the comparison of juvenile arrest rates across jurisdictions, while informative, should be done with caution.

In most areas not all law enforcement agencies report their arrest data to the FBI. Rates for these areas are then necessarily based on partial information. If the reporting law enforcement agencies in these jurisdictions are not representative of the complete jurisdiction, then the rates will be biased. For example, if the only agencies that report in a county are urban agencies, the county's reported rate will only reflect activity in the urban section of the county. Reported rates for jurisdictions with less than complete reporting may not be accurate.

In the cited reports, the FBI calculates juvenile arrest rates by dividing the number of arrests of persons under age 18 by the population ages 0 through 17. While this is consistent, the majority of the population in this age range is below 10, while few arrestees are below age 10. For this report, the FBI's reported arrest rates were modified to make them more sensitive to changes in that part of the juvenile population that is likely to generate the arrest figures. Specifically, the reported arrest rates were recalculated using a population base of persons ages 10 through 17.

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Chapter 6

Juvenile courts and juvenile crime

Nearly two-thirds of all youth arrested are referred to a court with juvenile jurisdiction for further processing. As with law enforcement, the court may decide to divert some juveniles from the formal justice system. Those cases that progress through the system may result in adjudication and court-ordered probation or out-of-home placement or may be transferred to a criminal (adult) court. Also, while their cases are being processed juveniles may be held in a secure detention facility.

This chapter quantifies the flow of cases through the juvenile court system, documenting the nature of, and trends in, cases received and the court's response. Sections also explore the nature of juvenile court careers and how the flow of cases differs for courts in urban and rural areas. In addition information is presented on the use of detention, the detention center population, and the conditions of confinement in such facilities.

The case processing information presented in this chapter is drawn from the National Juvenile Court Data Archive's primary publication *Juvenile Court Statistics*, which is funded by OJJDP. Detention center information is based on special analyses of data from OJJDP's Children in Custody Census of Juvenile Detention, Correctional, and Shelter Facilities, and OJJDP's *Conditions of Confinement* report.

Acknowledgments

This chapter was written by Howard Snyder and Melissa Sickmund. Jeffrey Butts prepared the section on transferring juveniles to criminal court and contributed to the sections describing juvenile court case processing. David Farrington contributed to the section on juvenile court careers.

What the *Juvenile Court Statistics* series can tell us about the activities of juvenile courts in the U.S.

Juvenile courts have contributed data to a national reporting program since the late 1920's

The *Juvenile Court Statistics* effort is the primary source of information on the activities of the Nation's juvenile courts. The first *Juvenile Court Statistics* report, published in 1929 by the Children's Bureau of the U.S. Department of Labor, described cases handled in 1927 by 42 courts. In the 1950's the work moved to the newly established U.S. Department of Health, Education and Welfare and then in 1974 to the newly established OJJDP.

Throughout its history, the *Juvenile Court Statistics* series has depended on the voluntary support of courts with juvenile jurisdiction. In 1992 juvenile courts with jurisdiction over 96% of the U.S. juvenile population participated. Contributed data were originally compiled by the courts to meet their own information needs.

National estimates must be interpreted cautiously

The data received are not uniform, but reflect the natural variation that exists across court information systems. To develop the national estimates, compatible data are restructured into a common reporting format. However, not all contributed data can support the national reporting requirements. In 1992 national estimates were based on data from more than 1,500 jurisdictions representing approximately 60% of the Nation's juvenile population.

The national estimates of juvenile court activity are not based on a nationally representative sample. Participating courts were not selected through a statistically designed sample. Similar to the approach used in the FBI's Uniform Crime Reporting Program, the court statistics rely on data contributed by all courts able to report. The estimation procedures used are designed to compensate for the potential bias in this type of sample, however, from a purely statistical standpoint, there is no way of determining the validity of the estimates.

The *Juvenile Court Statistics* series documents the number of cases handled by courts

Just as the FBI's Uniform Crime Reporting Program counts each arrest made by law enforcement, the *Juvenile Court Statistics* series counts delinquency and status offense cases disposed by courts with juvenile jurisdiction during the year. Each case represents a new referral to juvenile court for one or more offenses. A youth may be involved in more than one case in a year. Therefore, the *Juvenile Court Statistics* series does not provide a count of individual juveniles brought before juvenile courts.

Cases involving multiple offenses are categorized by their most serious offense

In a single case where a juvenile is charged with robbery, simple assault, and weapons law violation, the case is counted as a robbery case. Thus, the *Juvenile Court Statistics* series does not provide a count of the number of crimes committed by juveniles. In addition, given that only the most serious offense is reported, counts of, and trends for, less serious offenses must be interpreted cautiously.

Similarly, case dispositions are categorized by their most severe or restrictive aspect. For example, a case in which the judge orders residential placement and victim restitution would be characterized as a case in which the juvenile was placed in a residential facility.

Juvenile Court Statistics reports the volume and characteristics of delinquency and status offense caseloads

The *Juvenile Court Statistics* series provides annual estimates of the number of delinquency and formally processed status offense cases handled by juvenile courts. The reports provide demographic profiles of the youth referred and the reasons for the referrals (offenses). The series documents the juvenile courts' petition, detention, adjudication, and disposition decisions. The series is also able to identify trends in the volume and characteristics of court activity.

The series does not provide national estimates of the number of youth referred to court, their prior court histories, or their future recidivism. The series was designed to capture national estimates of court activity, not the law-violating careers of juveniles.

However, given the diversity in the data files contributed to the *Juvenile Court Statistics* series, different subsets of contributed data can be created to study many issues, such as the court careers of juvenile offenders, racial disparity in system processing, and jurisdictional variations in the processing of cases.

Law enforcement agencies are the juvenile court's primary source of referral

Most, but not all, delinquency cases seen in the juvenile court are referred by law enforcement

Delinquency cases are referred to juvenile courts from a number of different sources, including law enforcement, social service agencies, schools, parents, probation officers, and victims. In 1992 the large majority (85%) of delinquency cases were referred to court intake by law enforcement agencies. This percentage has changed little over the past decade.

Percent of cases referred by law enforcement agencies in 1992:

Total delinquency	85%
Burglary	94
Robbery	94
Motor vehicle theft	93
Drugs	93
Aggravated assault	90
Shoplifting	90
Forcible rape	90
Vandalism	89
Weapons	88
Disorderly conduct	84
Simple assault	80
Escape	64
Contempt of court	37
Probation violation	20

Source: NCJJ. (1994). *National Juvenile Court Data Archive: Juvenile court case records 1992* [machine-readable data file].

Nonpolice sources referred a relatively large proportion of disorderly conduct and simple assault cases. Youth charged with escape, contempt of court, and probation violation are generally under the jurisdiction of the court when the offense occurs, so these matters are often brought to the court's attention by court personnel.

Status offense cases are often referred by sources other than law enforcement

In sharp contrast to delinquency cases, law enforcement agencies referred fewer than half of the formally processed status offense cases (noncriminal) in 1992. Although they remain the most common referral source overall, there were substantial offense variations. Truancy cases were most often brought to the attention of the courts by school personnel, while a large proportion of ungovernability cases were referred by parents. Although status liquor law violations (underage drinking, illegal purchase of alcohol) are considered status offenses, they have many of the processing characteristics of delinquency offenses, including referral source.

Percent of formally processed cases referred by law enforcement agencies in 1992:

Total status offense	47%
Runaway	50
Truancy	15
Ungovernable	10
Status liquor	92

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Juvenile criminal history records are often used by prosecutors

A juvenile's record of law enforcement contacts routinely follows the juvenile into the adult justice system. The 1992 National Prosecutors Survey conducted by the Bureau of Justice Statistics found that 77% of prosecutor offices in the U.S. reported that juvenile criminal history records had been of practical value in felony prosecutions.

Prosecutors who found juvenile records to be of practical value most often used them during pretrial negotiations (75%) and at the sentencing stage of felony prosecutions (89%). Juvenile criminal history records were also utilized when filing charges (62%), at bail hearings (59%), and during trial (64%).

Most prosecutor offices acquired the juvenile history information from local police agencies (81%). A high proportion also used information maintained by their own office (75%), while fewer offices accessed State repositories (68%) or utilized the records maintained by the FBI (39%).

Prosecutors noted difficulties in using these records. Half of the prosecutor offices utilizing juvenile history records criticized their completeness. The confidentiality restrictions normally placed on a juvenile's records were not viewed as a major problem. Less than one-third of prosecutor offices were concerned about these confidentiality restrictions or the availability of juvenile records.

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How many delinquency cases are handled by the Nation's juvenile courts?

U.S. juvenile courts handle 4,000 delinquency cases each day

In 1992 U.S. courts with juvenile jurisdiction handled an estimated 1.5 million cases in which the juvenile was charged with a delinquency offense — an offense for which an adult could be prosecuted in criminal court.

An individual juvenile may be involved in more than one case during the year. The annual ratio of cases to juveniles is about 3 to 2. Therefore, juvenile courts handled about 1 million individual juveniles charged with delinquency offenses in 1992.

Juvenile courts are faced with an increasing and changing workload

Changes in the nature of the offenders brought to juvenile court in recent years have placed demands on the court's resources and programs. The 26% increase between 1988 and 1992 in the volume of cases that passed through juvenile courts placed a strain on the system. In addition, the courts were asked to respond to not only more cases, but to a different type of caseload.

Over the 5-year period from 1988 through 1992, the juvenile courts saw a disproportionate increase in violent offense cases and weapon law violations, while alcohol and other drug offense cases declined. These changes have required the courts to expand their programs in some areas, while decreasing their capacities in others.

Youth were charged with a property offense in the majority (57%) of the delinquency cases handled by juvenile courts in 1992

Most serious offense	Number of cases	Percent of total cases	Percent change 1988–1992
Total delinquency	**1,471,200**	**100%**	**26%**
Person offenses	**301,000**	**20**	**56**
Criminal homicide	2,500	<1	55
Forcible rape	5,400	<1	27
Robbery	32,900	2	52
Aggravated assault	77,900	5	80
Simple assault	152,800	10	47
Other violent sex offenses	9,900	1	60
Other person offense	19,800	1	63
Property offenses	**842,200**	**57**	**23**
Burglary	156,400	11	22
Larceny-theft	361,600	25	16
Motor vehicle theft	73,000	5	34
Arson	8,300	1	24
Vandalism	121,700	8	50
Trespassing	58,500	4	17
Stolen property offenses	28,900	2	-7
Other property offenses	33,700	2	57
Drug law violations	**72,100**	**5**	**-12**
Public order offenses	**255,900**	**17**	**21**
Obstruction of justice	87,100	6	10
Disorderly conduct	69,300	5	50
Weapons offenses	41,000	3	86
Liquor law violations	12,500	1	-26
Nonviolent sex offenses	12,900	1	19
Other public order	33,000	2	-8
Violent Crime Index *	**118,600**	**8**	**68**
Property Crime Index **	**599,400**	**41**	**20**

- Person offense cases accounted for 20% of all delinquency cases handled by juvenile courts in 1992. Cases involving a Violent Crime Index offense accounted for 8% of all delinquency cases.
- Five percent of all cases involved drug law violations.
- Although a substantial portion of the growth in court referrals is related to arrests, changes in juvenile court caseloads are also dependent on other forces. The increases in juvenile court cases were greater than increases in arrests of persons under age 18. Between 1988 and 1992, Violent Crime Index arrests increased by 47%, while arrests for Property Crime Index offenses increased by 8%.

* Violent Crime Index: criminal homicide, forcible rape, robbery, and aggravated assault.

** Property Crime Index: burglary, larceny-theft, motor vehicle theft, and arson.

Note: Detail may not add to totals because of rounding. Percent change calculations are based on unrounded numbers.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Both male and female caseloads have increased in recent years

Males are involved in 8 in 10 delinquency cases handled each year

While only half of the juvenile population, males were involved in about 80% of person, property, and public order offense cases handled by the courts in 1992 and in 88% of drug law violation cases. These proportions did not change substantially between 1988 and 1992.

Male and female caseloads increased similarly

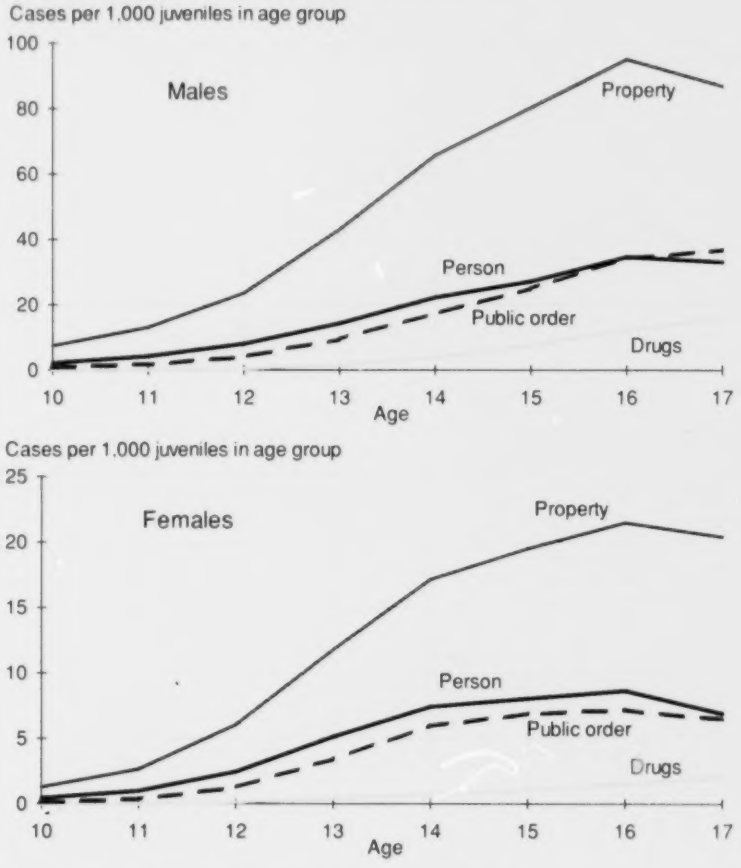
In 1992 for every 1,000 males between the ages of 10 and 17 (who were under juvenile court jurisdiction), the court handled 87 cases involving males. The case rate for females (21 cases per 1,000 females) was one-fourth the rate for males. Between 1988 and 1992 case rates for males and females each increased approximately 20%. Caseload changes were similar for males and females across offense categories.

	Delinquency cases per 1,000 juveniles ages 10–upper age		Percent change
	1988	1992	
Males	72.4	87.2	21%
Person	11.7	17.4	50
Property	42.6	50.1	18
Drugs	5.4	4.6	-16
Public order	12.7	15.1	17
Females	17.5	21.3	22
Person	3.1	4.8	54
Property	10.0	12.0	21
Drugs	0.9	0.7	-29
Public order	3.5	3.8	8

Note: Detail may not add to totals because of rounding. Percent change calculations are based on unrounded numbers.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Although case rates for females were much lower than those for males in 1992, offense patterns across age were similar



Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

In 1992 blacks were referred to juvenile court at a rate more than double that of whites

Blacks were involved in a disproportionate number of delinquency cases in 1992

	White	Black	Other races	Total
Delinquency cases	65%	31%	4%	100%
Person	57	40	3	100
Property	70	27	4	100
Drugs	52	46	2	100
Public order	65	32	3	100
Juvenile population	80%	15%	5%	100%

- Although the majority of delinquency cases involve white youth, black youth are overrepresented in the delinquency caseload, given their proportion of the juvenile population.
- The overrepresentation of black juveniles was most prominent in drug and person offense cases.

Note: Detail may not total 100% because of rounding. Nearly all youth of Hispanic ethnicity are included in the white racial category.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

The offense profile of white and black caseloads differ

Court caseloads of black juveniles contained a greater proportion of person and drug offense cases than did the caseloads of other juveniles. Although property cases dominated the caseloads of all racial groups in 1992, this was less true for black juveniles. Among blacks, fewer than half of the cases handled involved property offenses. Among whites and juveniles of other races, just over 60% of cases were property cases.

Blacks had a greater proportion of person offense cases (26%) than either white or other race juveniles (18%). For all groups, drug cases accounted for a relatively small proportion of the caseload; however, the drug proportion was slightly greater for blacks (7%) than for whites (4%) or juveniles of other races (3%). There was little racial variation in the proportion of public order cases.

Delinquency case rates differ substantially by race

In 1992 the delinquency case rate for black juveniles (114.2) was more than double the rate for white juveniles (44.9) and nearly triple the rate for juveniles of other races (40.4).

	Delinquency cases per 1,000 juveniles ages 10–upper age		
	White	Black	Other
Delinquency	44.9	114.2	40.4
Person	8.0	30.1	7.3
Property	27.4	55.7	25.3
Drugs	1.8	8.2	1.3
Public order	7.8	20.2	6.5

Note: Detail may not add to totals because of rounding.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

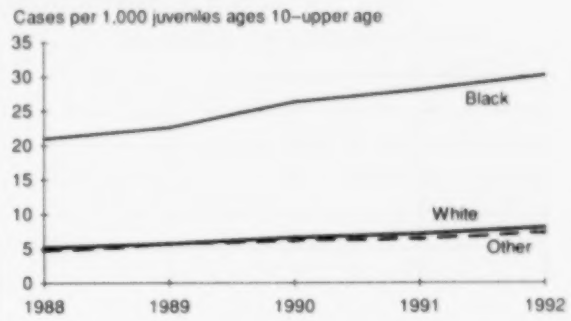
The delinquency case rate among whites increased less between 1988 and 1992 (17%) than did the rates for blacks (29%) and other race juveniles (23%).

Disparities in white and black arrest and juvenile court case rates were similar in 1992

In 1992 the arrest rate of black juveniles for property crimes was double that for white juveniles. Juvenile court referral rates displayed an equal level of racial disparity. Therefore, the level of disparity did not increase between the stages of arrest and juvenile court intake for property offense cases. The level of disparity also held constant for person offenses. The person offense arrest rate for black juveniles in 1992 was 4 times the white arrest rate, equivalent to the disparity in their juvenile court referral rates. For drug law violations, the arrest rate for black juveniles was about 5 times the rate for whites. Roughly the same degree of disparity was found in the juvenile court case rates for these offenses.

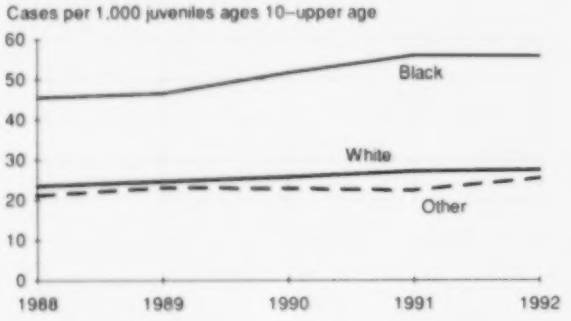
Case rates were greater for blacks than for whites or juveniles of other races in all four major offense categories

Person offense case rates



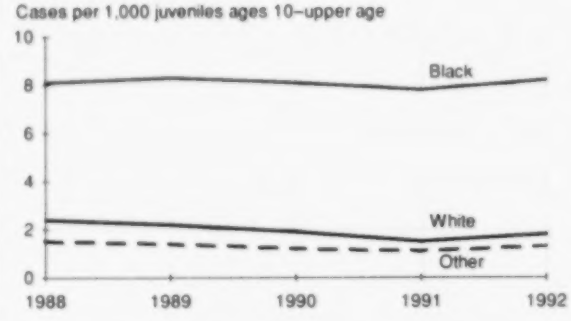
- Person offense case rates increased each year between 1988 and 1992 for all racial groups.
- The increase in person offense case rates between 1988 and 1992 was greater for blacks than for whites or for juveniles of other races.

Property offense case rates



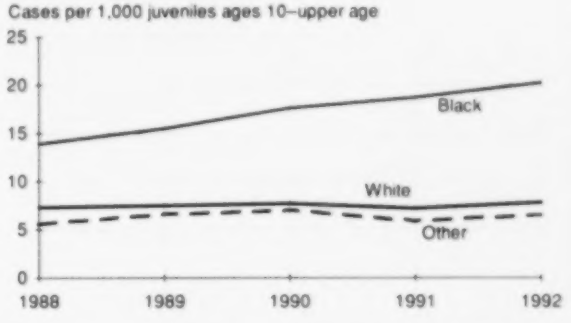
- The property offense case rate increased less for whites than for other youth.
- After increasing steadily from 1988 through 1991, the property offense case rate for blacks decreased slightly in 1992.

Drug offense case rates



- Between 1988 and 1992, the drug case rate dropped 27% among whites and 13% among other race youth, but remained constant for blacks.
- For all race groups, the drug case rate saw a slight upswing from 1991 to 1992.

Public order offense case rates



- Among white and other race juveniles, the case rate for public order offenses changed little between 1988 and 1992.
- Among black juveniles, the public order case rate rose steadily for an overall increase of 45%.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

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Juveniles in all age groups contributed to the recent increases in delinquency caseloads

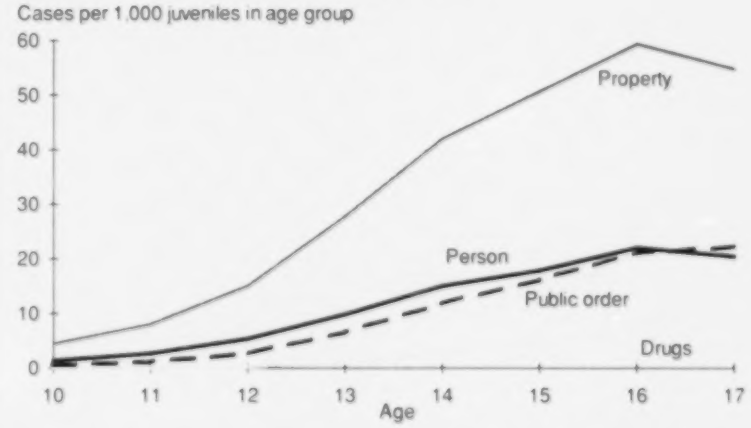
Delinquency case rates rose substantially between 1988 and 1992 in most age groups

The 1992 delinquency case rate was 21% greater than the 1988 case rate. Delinquency case rates increased by roughly the same degree in all age groups, with the exception of relatively small increases in the youngest age groups.

Age at referral	Delinquency cases per 1,000 juveniles in age group 1988	1992	Percent change
All ages	45.7	55.1	21%
10	6.0	6.3	5
11	9.8	11.8	21
12	18.8	23.3	24
13	34.8	45.1	30
14	55.3	71.2	29
15	69.3	89.1	29
16	85.3	109.6	28
17	84.6	106.5	26

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Property offense case rates were highest in all age groups in 1992, but drug offense case rates had the sharpest age increase



- In general, delinquency case rates increased with age, although there were some variations across offense.
- Drug offense case rates had the steepest growth with age. While the case rate for 17-year-olds for person and property offenses was about one-third greater than the rate for 14-year-olds, the drug offense case rate for 17-year-olds was nearly 4 times the rate for 14-year-olds.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

6 in 10 delinquency cases handled in 1992 involved youth age 15 or younger

Juveniles age 15 or younger accounted for 62% of person offense cases and 64% of property offense cases. In comparison, they accounted for 53% of public order offense cases and 39% of cases involving drug law violations.

More 16-year-olds than 17-year-olds come to juvenile court — many 17-year-olds go directly to criminal court

Although far more 17-year-olds than 16-year-olds were arrested in 1992, the number of juvenile court cases involving 17-year-olds (230,900) was lower than the number involving 16-year-olds (325,400). This lower number stems, in large part, from the fact that in 11 States these youth are excluded from the original jurisdiction of the juvenile court. In these States, all 17-year-olds are legally adults and are referred to criminal rather than to juvenile court. Thus, far fewer 17-year-olds than 16-year-olds are under juvenile court jurisdiction in the U.S.

Even after controlling for their differential representation in the *juvenile* population, the case rates for 16-year-olds were still slightly greater than the rates for 17-year-olds. One reason may be State legislation that enables older juveniles to be processed directly in criminal courts (either via statutory exclusion or concurrent jurisdiction provisions). In these situations, while a youth of juvenile age is arrested, the matter goes before a criminal court rather than before a juvenile court.

Half of all delinquency cases are handled informally by the juvenile court, without the filing of a petition

Informal processing involves the voluntary acceptance of sanctions and interventions

Soon after referral to juvenile court, a decision is made to either handle the case formally or informally. Informal processing is considered when the decisionmakers (police or probation officers, intake workers, prosecutors, or other screening officers) believe that accountability and rehabilitation can be achieved without the use of formal court intervention.

Informal sanctions are voluntary; the court cannot force a juvenile to comply with an informal disposition. If the decision is made to handle the matter informally (in lieu of formal prosecution) an offender agrees to comply with one or more sanctions such as community service, victim restitution, or voluntary probation supervision. In many jurisdictions, before juveniles are offered informal sanctions, they must admit they committed the alleged act.

When informally handled, the case is generally held open pending the successful completion of the informal disposition. Upon successful completion of these arrangements, the charges against the offender are dismissed. However, if the offender does not fulfill the court's conditions for informal handling, the case is likely to be reopened and formally prosecuted.

The juvenile justice system makes broad use of informal processing

Informal handling is common in the juvenile courts. According to *Juvenile Court Statistics 1992*, half (49%) of the delinquency cases disposed by juvenile courts in 1992 were handled informally.

	Percent of cases handled informally	
	1988	1992
Delinquency	51%	49%
Person	46	45
Property	54	52
Drugs	41	36
Public order	52	49

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Females, whites, and younger juveniles are more likely to have their cases handled informally

	Percent of delinquency cases that were handled informally in 1992
Sex	
Male	48%
Female	61
Race	
White	54%
Black	41
Other race	50
Age at referral	
Under 16	53%
16 or older	46

Note: These patterns do not control for criminal histories that are related to an increased likelihood of formal processing.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Cases are more likely to be handled informally in rural areas than in large cities

In jurisdictions where the population of 10- to 17-year-olds was fewer than 10,000, courts processed 55% of their delinquency cases informally in 1992, while in jurisdictions where the population of 10- to 17-year-olds was greater than 100,000, only 43% of their delinquency cases were processed informally.

A substantial proportion of informal cases involve some sort of voluntary sanction

In 1992 more than half (53%) of informally handled delinquency cases involved some type of intervention services and/or sanctions beyond warning and counseling the youth. In nearly a third (30%) of informally processed cases the youth agreed to a term of voluntary probation supervision, while 23% agreed to other sanctions such as voluntary restitution, community service, or referral to another agency. In a small number of cases the youth and the youth's family agreed to a period of out-of-home placement as a sanction.

Informal handling can be advantageous to both the community and the offender

Programs such as "pretrial diversion" or "deferred prosecution" have attracted increasing interest in recent years. Courts at all levels have found that diverting certain cases from the formal justice system can be cost-effective in terms of both public accountability and offender rehabilitation. Diversion programs reduce the administrative burdens and the costs of prosecution while allowing the justice system to intervene in relatively minor cases. Offenders benefit by avoiding trial and the stigma of formal conviction. Diverted or deferred cases also move through the court system more quickly since they do not involve protracted courtroom procedures.

Formal petitions were filed requesting an adjudicatory or waiver hearing in half the delinquency cases processed in 1992

Petitioners ask the court to order sanctions in formally processed cases

Compared with cases that are handled informally, formally processed delinquency cases tend to involve more serious offenses and juveniles who are older and have longer court histories. While more than half of cases involving juveniles above age 13 were formally processed in 1992, formal processing occurred in less than 40% of the cases of younger juveniles. Secure detention between referral and court disposition was used in 28% of formally processed delinquency cases and 12% of informally processed cases in 1992.

If adjudicated, juveniles in formally processed cases may be involuntarily ordered to residential placement or to comply with various conditions of probation. Often diversion has been tried in previous referrals and the youth has returned to court on a new offense.

The likelihood of formal processing changed little from 1988 to 1992

Although the volume of delinquency cases referred to juvenile court intake increased 26% between 1988 and 1992, for most offenses, the proportion of cases referred to court that were formally handled remained about the same.

In 1992 juvenile courts formally processed nearly 744,000 delinquency cases

Most serious offense	Percent of 1992 cases that were petitioned	Number of cases petitioned in 1992	Percent change 1988–1992
Total delinquency	**51%**	**743,700**	**31%**
Person offenses	**55**	**165,200**	**59**
Criminal homicide	91	2,300	62
Forcible rape	80	4,300	32
Robbery	85	28,000	63
Aggravated assault	62	48,100	80
Simple assault	42	64,500	46
Other violent sex offenses	68	6,700	50
Other person offense	57	11,300	67
Property offenses	**48**	**400,600**	**27**
Burglary	69	108,300	25
Larceny-theft	37	132,600	17
Motor vehicle theft	69	50,200	42
Arson	51	4,200	35
Vandalism	39	47,300	55
Trespassing	34	20,200	25
Stolen property offenses	62	17,900	1
Other property offenses	59	20,000	57
Drug law violations	**64**	**46,200**	**-5**
Public order offenses	**51**	**131,600**	**30**
Obstruction of justice	69	60,500	8
Disorderly conduct	35	24,000	72
Weapons offenses	54	22,100	107
Liquor law violations	43	5,400	16
Nonviolent sex offenses	48	6,200	11
Other public order	41	13,400	29
Violent Crime Index *	**70**	**82,700**	**70**
Property Crime Index **	**49**	**295,300**	**24**

- As a general rule, the more serious the offense, the more likely the case was to be brought before a judge for formal (court-ordered) sanctioning. For example, 37% of all larceny-theft cases were formally processed in 1992, compared with 69% of all burglary cases.
- The juvenile was charged with an offense against a person in fewer than one-quarter of the delinquency cases formally processed in 1992.
- The relative increase in cases involving Violent Crime Index offenses was more than double the increase in property offense cases.

* Violent Crime Index: criminal homicide, forcible rape, robbery, and aggravated assault.

** Property Crime Index: burglary, larceny-theft, motor vehicle theft, and arson.

Note: Detail may not add to totals because of rounding. Percent change calculations are based on unrounded numbers.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Youth in nearly 3 in 5 delinquency cases handled formally by juvenile courts in 1992 were adjudicated delinquent

Juveniles were adjudicated in 427,000 formally processed delinquency cases in 1992

A youth referred to juvenile court for a delinquency offense may be adjudicated (judged to be) a delinquent after admitting to the charges in the case, or after the court finds sufficient evidence to prove, beyond a reasonable doubt, that the youth committed the facts alleged in the petition.

In 1992, 57% of all formally processed delinquency cases resulted in an adjudication. Youth were adjudicated delinquent in 53% of person offense cases. This was less than any of the other major categories of offenses — youth were adjudicated delinquent in 58% of property offense cases, 60% of drug law violation cases, and 59% of public order offense cases.

The lower rate of adjudication in person offense cases may reflect intake's unwillingness to divert person offense cases from the formal juvenile justice system until a judge has had the opportunity to review the case.

The proportion of cases adjudicated varied by offense and demographic group

Proportion of formally processed cases that were adjudicated:

	Males	Females
Delinquency	58%	52%
Person	54	49
Property	59	52
Drugs	61	52
Public order	60	56

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

In 1992, 58% of all formally processed male cases were adjudicated compared with 52% of cases involving females, a pattern that held even after controlling for referral offense.

There were also race and age variations in the proportion of formal cases that were adjudicated in 1992 —

- Blacks, 55%.
- Whites, 58%.
- Youth of other races, 65%.
- Juveniles below age 14, 55%.
- 14–15-year-olds, 61%.
- 16-year-olds, 58%.
- 17-year-olds, 52%.

The decreasing rate of adjudication in cases involving older offenders is nearly equivalent to the increased probability of judicial waiver for these older offenders. The proportion of formally processed cases that were either waived or adjudicated was relatively constant for juveniles above age 13.

121,000 adjudicated delinquency cases resulted in out-of-home placement, and 244,000 resulted in formal probation in 1992

In 28% of adjudicated delinquency cases, the court ordered the youth to residential placement such as a training school, camp, ranch, privately operated placement facility, or group home. Cases involving youth adjudicated for a property offense were least likely to result in out-of-home placement. The relatively high placement rate for public order offense cases was at least partially due to the fact that escapes from institutions and probation and parole violations are included in this offense category.

Once adjudicated, white juveniles were less likely to be ordered to an out-of-home placement than blacks and youth of other races. Females were less likely to be placed than males.

About half (52%) the adjudicated delinquency cases involved detention at some point during processing of the case. These cases were more than twice as likely as cases that did not involve detention to result in out-of-home placement at disposition.

Proportion of adjudicated delinquency cases in 1992 that resulted in:

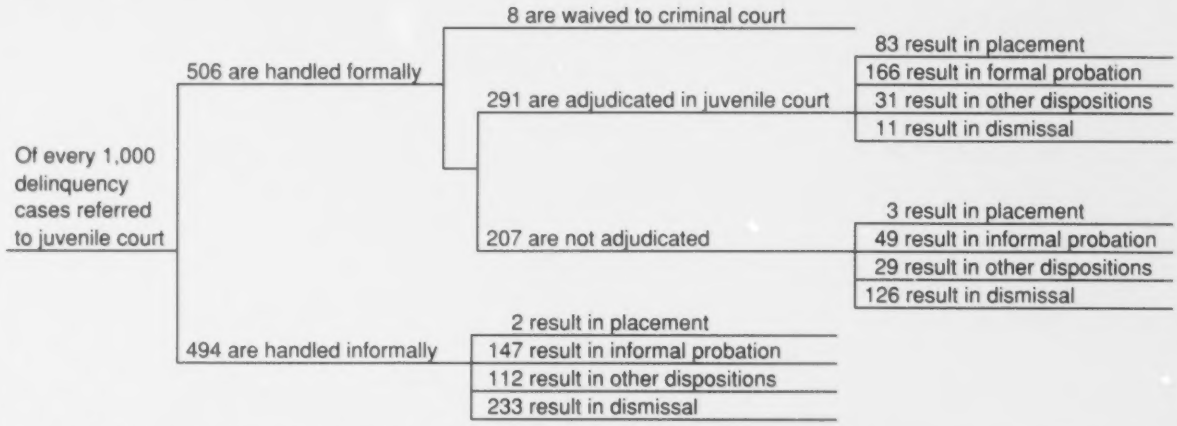
	Out-of-home placement	Formal probation
All cases	28%	57%
Offense		
Person	32	55
Property	25	60
Drugs	32	54
Public order	34	52
Age		
Less than 14	24	63
14	30	58
15	32	56
16	30	56
17	25	54
Sex		
Male	29	57
Female	23	61
Race		
White	25	58
Black	33	56
Other	31	51

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Generally, if adjudicated delinquents were not placed out of home, they were placed on formal probation. Fifty-seven percent of adjudicated delinquency cases resulted in probation. Overall, 85% of adjudicated delinquency cases resulted in either placement or formal probation.

These patterns do not control for criminal histories that are related to increased severity of sanctions.

Most adjudicated delinquency cases received dispositions of formal probation or placement outside the home in 1992


Of every 1,000 delinquency cases referred to juvenile court
506 are handled formally
8 are waived to criminal court
291 are adjudicated in juvenile court
83 result in placement
166 result in formal probation
31 result in other dispositions
11 result in dismissal
207 are not adjudicated
3 result in placement
49 result in informal probation
29 result in other dispositions
126 result in dismissal
494 are handled informally
2 result in placement
147 result in informal probation
112 result in other dispositions
233 result in dismissal

- Of every 1,000 delinquency cases handled in 1992, 166 resulted in formal probation, and 83 resulted in residential placement following adjudication.
- Many delinquency cases that were handled formally in 1992 did not result in juvenile court adjudication. However, many of these cases still resulted in the youth agreeing to informal services or sanctions, including out-of-home placement, informal probation, and other dispositions.
- Although juvenile courts handled about half of all delinquency cases without the filing of a formal petition, more than half of these cases received some form of court sanction, including probation or other dispositions such as restitution, community service, or referral to another agency.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Juvenile courts are more likely to impose sanctions on violent offenders, but criminal court sanctions are more severe

Violent offenses—homicide, violent sex offenses, robbery, and aggravated assault—are a small portion of the total delinquency caseload. However, the handling of these cases is one of the more important and visible responsibilities of the juvenile justice system. Using juvenile court records from 10 States on their handling of violent offenders between 1985 and 1989 and adult court data from the 14 States included in the Bureau of Justice Statistics' 1988 *Offender-Based Transaction Statistics* program (OBTS), the juvenile court's handling of violent offense cases involving 16- and 17-year-olds was compared with violent case dispositions in the criminal (adult) courts.

Despite the fact that adult court defendants would be expected to have, on average, more lengthy criminal records, the study showed that violent juvenile offenders were more likely to receive sanctions in juvenile court than were adult violent offenders in criminal court.

Juvenile courts petitioned 78% of all cases involving violent offenses, while criminal courts prosecuted 79% of such cases — a relatively equal rate. Criminal courts were more likely than juvenile courts to incarcerate violent offenders (32% versus 24%). However, juvenile courts made greater use of formal probation (25% compared with 9%).

Altogether, 53% of the violent offense cases referred to juvenile courts resulted in probation, out-of-home placement, or waiver to criminal court. In comparison, criminal courts ordered probation or incarceration in 41% of their violent offense cases.

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In 1992, 533,000 delinquency cases disposed by juvenile courts resulted in probation

Juvenile courts assign probation supervision to a wide range of youthful offenders

Probation is the oldest and most widely used community-based, corrections program. Probation may be used at either the "front end" or the "back end" of the juvenile justice system — for first-time, low-risk offenders or as an alternative to institutional confinement for more serious offenders. During a period of probation, a juvenile offender remains in the community and can continue normal activities such as school and work. In exchange for this freedom, the juvenile must submit to a number of conditions.

The probation caseload's proportion of person offenders rose from 1988 to 1992

	Percent of formal probation cases	
	1988	1992
Offense	100%	100%
Person	16	20
Property	59	57
Drugs	8	6
Public order	16	17
Sex	100%	100%
Male	86	86
Female	14	14
Race	100%	100%
White	64	63
Black	33	34
Other	3	4
Age at referral	100%	100%
Under 14	17	18
14	17	18
15	23	23
16	25	24
17 or above	19	17

Note: Detail may not total 100% due to rounding.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

This submission may be voluntary, where the youth agrees to comply with a period of informal probation in lieu of formal adjudication. Or, once adjudicated and formally ordered to a term of probation, the juvenile must submit to the probation conditions established by the court. More than half (54%) of juvenile probation dispositions in 1992 were informal, or enacted without a formal adjudication or court order.

Probation conditions typically incorporate items meant to control as well as rehabilitate

A juvenile may be required to meet regularly with a probation supervisor, adhere to a strict curfew, and complete a specified period of community service. The conditions of probation may also include provisions for the revocation of probation should the juvenile violate the conditions. If probation is revoked, the court may reconsider its disposition and impose stricter sanctions.

Probation caseloads increased between 1988 and 1992

The total number of delinquency cases receiving probation (either formal or informal) as the most severe initial disposition climbed 23% between 1988 and 1992, from 434,000 to 533,000 annually. The number of adjudicated delinquency cases placed on formal probation increased 24% over this period, from 197,000 to 244,000 annually.

Between 1988 and 1992 probation was the most severe disposition used by juvenile courts in nearly 2 in 5 delinquency cases, and in nearly 3 in 5 adjudicated cases — with the annual proportions remaining constant over this time period. Therefore, the growth in probation caseloads was directly related to the general growth in referrals to juvenile courts.

Formal probation cases differ from those resulting in out-of-home placement

Compared with adjudicated cases that resulted in placement in 1992, adjudicated delinquency cases that resulted in probation involved a higher percentage of whites (63% vs. 55%), females (14% vs. 11%) and youth charged with a property offense (57% vs. 47%).

Formal probation is less likely for those charged with property offenses, females, whites, and young juveniles

	Probation type	
	Informal	Formal
Offense		
Person	54%	46%
Property	57	43
Drugs	41	59
Public order	49	51
Sex		
Male	52%	48%
Female	73	37
Race		
White	58%	42%
Black	47	53
Other	42	58
Age at referral		
Under 14	65%	35%
14	54	46
15	50	50
16	50	50
17 or above	47	53

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Juvenile courts in rural areas receive cases at a lower rate and process them differently than courts in urban areas

Referral rates vary by size of jurisdiction

To compare case rates for different size counties, counties were ranked by the size of their juvenile population and placed into four groups. Each group contained about 25% of the U.S. juvenile population:

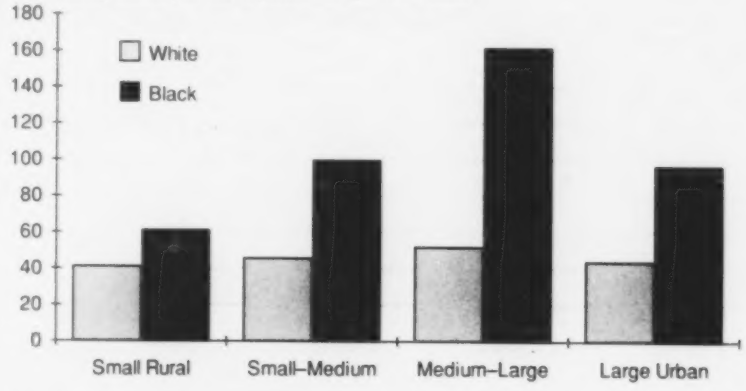
- 2,528 small rural counties.
- 404 small–medium counties.
- 116 medium–large counties.
- 37 large urban counties.

Juvenile courts in large urban jurisdictions handled more cases than courts in rural areas. These differences were not simply the result of the differing population bases. The delinquency case rates (the number of cases processed for every 1,000 juveniles age 10 or older in the population) also differed.

	Delinquency cases in 1992	
County type	Average number	Per 1,000 juveniles ages 10–upper age
Small rural	118	45
Small–medium	865	53
Medium–large	4,044	71
Large urban	9,564	53

Juvenile courts in small rural counties, on average, received delinquency cases at a lower rate than did courts in larger counties. Referral rates increased with county size except for the large urban stratum, where the rate dropped substantially.

Blacks were referred to juvenile court at a greater rate than whites in all county types, but the magnitude of the disparity was greatest in medium–large counties



- Compared with rates for blacks, the delinquency case rates for white juveniles in 1992 remained relatively stable across county sizes.

Source: NCJJ. (1994). *National Juvenile Court Data Archive: Juvenile court case records 1992* [machine-readable data file].

Delinquency caseloads differ in small and large jurisdictions

To investigate urban/rural variations in court processing, more than 300,000 delinquency case records from 15 States were analyzed. The 1992 caseloads of courts in counties with total populations under 150,000 (rural) were compared with those in counties with populations greater than 600,000 (urban). The analysis found that compared with courts in large urban jurisdictions, the delinquency cases in small rural courts had —

- A smaller proportion of person offense and drug law violation cases.
- A greater proportion of juveniles under age 14.
- A similar percentage of females.
- A smaller percentage of minorities.

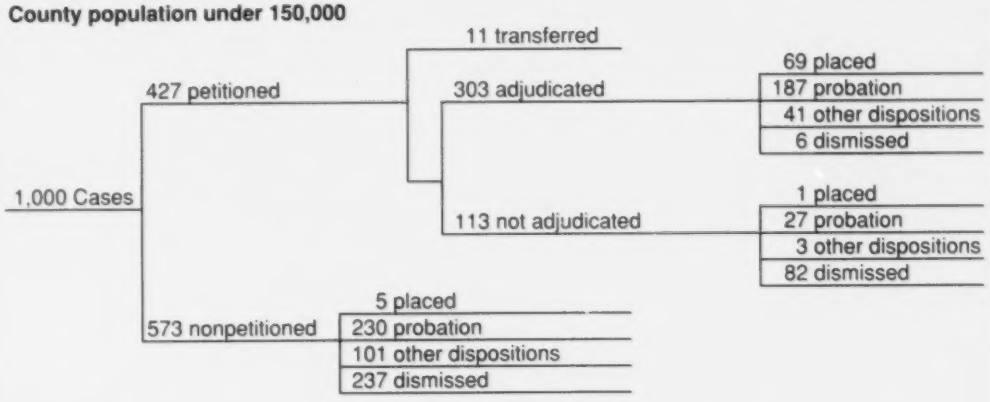
The nature of the court's response differs in urban and rural areas

Compared with delinquency cases in urban areas, cases in rural areas were —

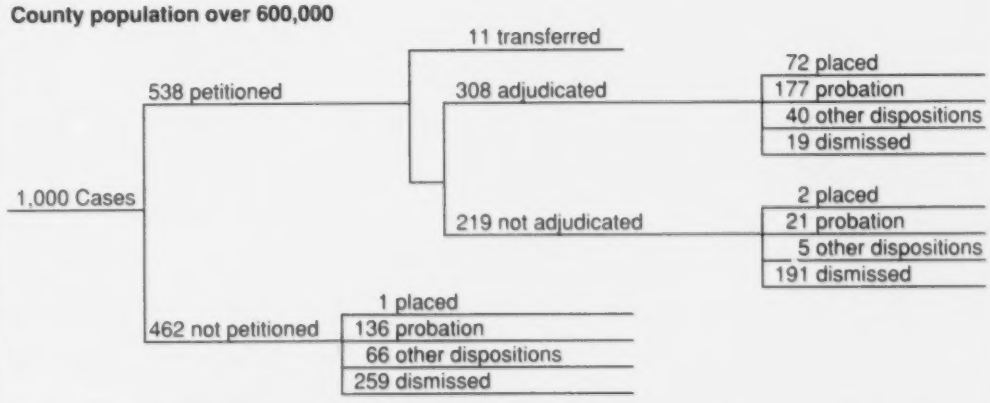
- Less likely to involve secure detention between referral and case disposition.
- Less likely to be formally processed.
- More likely to be transferred to criminal court if formally processed.
- More likely to be adjudicated if formally processed.
- Equally likely to result in out-of-home placement if adjudicated.

How does juvenile court case processing differ in small and large jurisdictions?

County population under 150,000



County population over 600,000



- For every 1,000 delinquency cases handled in small jurisdictions, 427 are petitioned and 573 are processed informally, compared with large jurisdictions that handle 538 cases formally and 462 informally for every 1,000 delinquency referrals.
- When cases are processed formally with the filing of a delinquency petition, adjudication is more likely in small jurisdictions. Of every 1,000 delinquency referrals in large jurisdictions, 219 cases are formally petitioned but not subsequently adjudicated. Most of these cases (191) are subsequently dismissed for lack of evidence or other reasons.

Source: NCJJ. (1994). *National Juvenile Court Data Archive: Juvenile court case records 1992* [machine-readable data file].

Between 1988 and 1992 the juvenile court's status offense caseload grew 18%

What are status offenses?

Traditionally, status offenses were those behaviors that were law violations only if committed by a juvenile. Such behaviors included running away from home, ungovernability (beyond the control of parents or custodians), underage drinking, truancy, and curfew violations.

In recent years, some States have *decriminalized* some of these behaviors, making them no longer law violations. In these States juveniles who participate in such activities may be classified as dependent children, giving child protective service agencies the primary responsibility for addressing these situations.

States vary in how they respond to status offending behavior

The official processing of status offenders varies from State to State. In some States, for example, a runaway's entry into the official system may be through juvenile court intake, while in other States the matter may enter through the child welfare agency. This mixture of approaches to case processing has made it difficult to monitor the volume and characteristics of status offense cases nationally.

However, in all States, when informal efforts to resolve the status offending behavior fail or when formal intervention is needed, the matter is referred to a juvenile court. Roughly 1 in 5 status offense cases that came to the attention of the juvenile court intake or the child welfare agencies were formally processed by the courts in 1992.

Compared with delinquency caseloads, status offense caseloads are small

Juvenile courts in the U.S. formally processed an estimated 97,000 status offense cases in 1992. These cases accounted for about 10% of the court's formal delinquency and status offense caseload in 1992. In 1992 the courts formally processed approximately —

- 17,000 runaway cases.
- 26,000 truancy cases.
- 11,000 ungovernability cases.
- 30,000 status liquor law violation cases.
- 13,000 other status offense cases including curfew violations, smoking tobacco, and violations of a valid court order.

The number of formally processed status offense cases processed by juvenile courts increased 18% from 1988 through 1992. While the number of ungovernability cases declined 22%, increases were found in each of the other major offense categories —

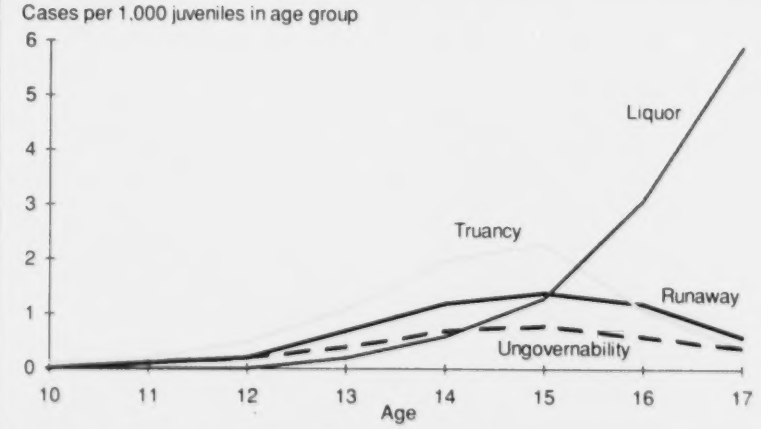
- Running away (31%).
- Truancy (21%).
- Status liquor (15%).

Overall status offense case rates were more similar across racial groups than were delinquency case rates

In 1992 juvenile courts formally processed 3.6 status offense cases for every 1,000 juveniles ages 10 through the upper age of juvenile court jurisdiction. The black rate (4.6) and the rate for juveniles of other races (4.4) was only one-third larger than the white rate (3.4).

There were, however, substantial racial differences in specific referral offenses. The runaway case rate for black juveniles was 50% greater than the white rate. Both the truancy and ungovernability case rates for black

While the case rates for most status offenses decline in the older age groups, liquor law violation rates increase substantially through the juvenile years



- In 1992, 15 was the peak age for running away, truancy, and ungovernability cases. This pattern held for both males and females.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

juveniles were more than double those of whites. In sharp contrast, the white case rate for status liquor law violations was 4 times the black rate.

In comparison, overall delinquency case rates were much higher and much more different across racial groups in 1992. The rate at which blacks were formally processed in 1992 for delinquency offenses was more than 3 times the rates for white and other race juveniles. In 1992 juvenile courts formally processed 66 delinquency cases for every 1,000 black juveniles age 10 or above, while the white rate was 21 and the rate for youth of other races was 20.

Females were involved in 4 in 10 status offense cases formally processed in 1992

Another major difference between delinquency and status offense cases is the proportion of cases that involve females. While females were charged in only 15% of the delinquency cases formally processed in 1992, they were involved in 42% of status offense cases.

	Males	Females
Status Offense	58%	42%
Running away	38	62
Truancy	54	46
Ungovernability	51	49
Liquor	71	29

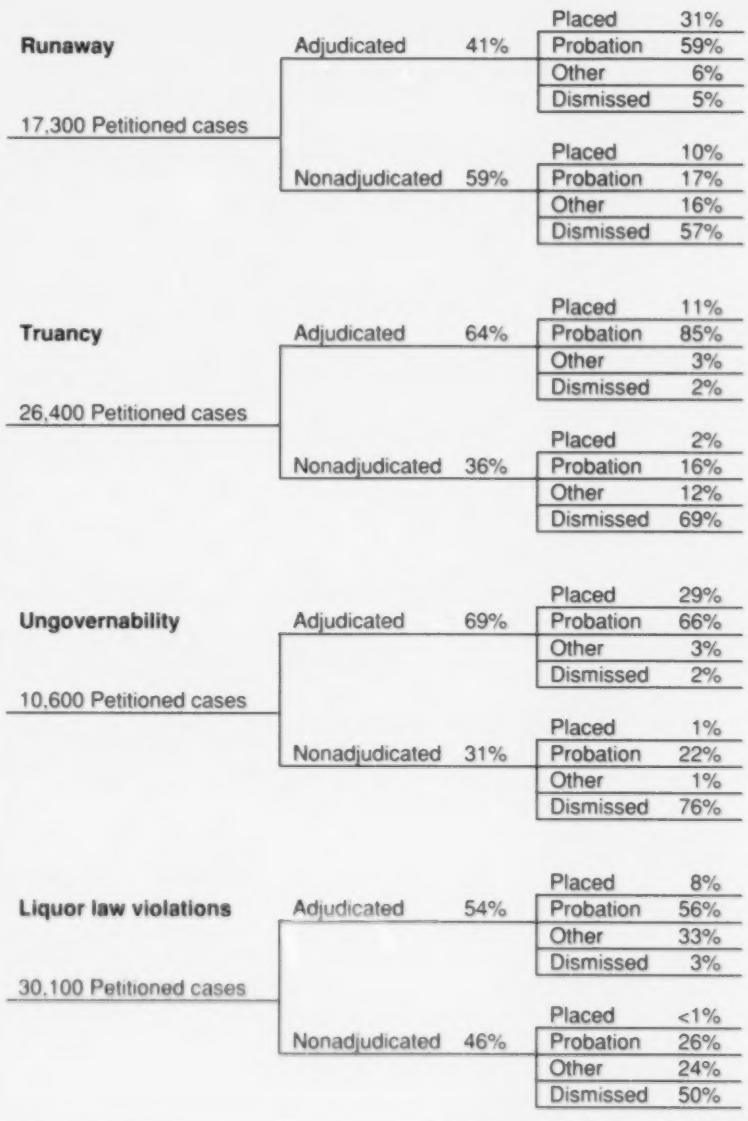
Source: Butts et al. (1995). *Juvenile court statistics 1992.*

The proportion of cases involving females varied substantially by offense. Females were involved in 3 in 10 underage liquor law violations and in almost half of ungovernability and truancy cases. The majority of juveniles brought to court for running away from home in 1992 were female (62%).

In 1992 youth were placed out of the home in 11% of all formally processed status offense cases

Youth were adjudicated as status offenders in 56% of formally processed status offense cases in 1992. Seventeen percent of these cases resulted in out-of-home placement, while 65% resulted in formal probation. Another 15%, largely liquor law violation cases, resulted in other sanctions, such as fines, restitution, or community service.

Once adjudicated, runaway and ungovernability cases were more likely than truancy and liquor law violation cases to result in out-of-home placement in 1992



- Runaways were the least likely to be adjudicated, but by far the most likely to be voluntarily placed out of home when not adjudicated.
- A relatively high proportion of liquor law violation cases received "other" dispositions, including fines and restitution.
- More than 90% of adjudicated runaway, truancy, and ungovernability cases resulted in either probation or out-of-home placement.

Note: Detail may not total 100% because of rounding.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992*.

Most delinquency cases do not involve detention

When is secure detention used?

A youth may be placed in a secure juvenile detention facility at various points during the processing of a case through the juvenile justice system. Although detention practices vary from jurisdiction to jurisdiction, a general model of detention practices is useful.

When a case is referred to juvenile court, intake staff may decide to hold the youth in a detention facility while the case is being processed. In general, the youth will be detained if there is reason to believe the youth —

- Is a threat to the community.
- Will be at risk if returned to the community.
- May fail to appear at an upcoming hearing.

The youth may also be detained for diagnostic evaluation purposes. In all States, legislation requires that a detention hearing be held within a few days (generally within 24 hours). At that time, a judge reviews the decision to detain the youth and either orders the youth released or continues the detention.

National juvenile court statistics count the number of cases that involve the use of detention during a calendar year. A youth may be detained and released more than once between case referral and disposition as the case is processed. A youth may also have more than one case involving detention during the year. Juvenile court data do not count "detentions" nor do they count the number of youth detained. In addition, although in a few States juveniles may be committed to a detention facility as part of a disposition order, the court data do not include such placements in the count of cases involving detention.

Nearly 59,000 more delinquency cases involved detention in 1992 than in 1988 — person and property offense cases each accounted for about 45% of the overall increase

	Number of cases that involved detention				
	1988	1989	1990	1991	1992
Delinquency	237,200	256,400	297,700	281,500	296,100
Person	46,000	52,700	65,700	66,600	72,500
Property	112,100	118,400	141,400	136,300	139,200
Drugs	27,100	28,100	26,600	22,900	25,300
Public order	52,000	57,100	63,900	55,700	59,100

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

In 1992, as in 1988, juveniles were detained in 20% of all delinquency cases processed during the year

	Percent of cases that involved detention				
	1988	1989	1990	1991	1992
Delinquency	20%	21%	22%	20%	20%
Person	24	25	27	25	24
Property	16	17	19	17	17
Drugs	33	36	37	36	35
Public order	25	26	27	24	23

- Over the past several years, the likelihood of detention has consistently been greater for drug cases than for cases involving other offenses.
- Property offense cases have the lowest likelihood of detention.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Most detained delinquency cases involve charges of property crimes

Property cases accounted for the largest volume of cases involving detention. Compared with 1988, the detention caseload in 1992 was made up of a greater proportion of person offense cases.

	Percent of detained cases	
	1988	1992
Delinquency	100%	100%
Person	19	24
Property	47	47
Drugs	11	9
Public order	22	20

Note: Detail may not total 100% because of rounding.

Changes in the number of cases detained were comparable to overall caseload changes

The relative change in the number of delinquency cases involving detention was comparable to the increase in the number of delinquency cases handled. This was true for each of the four general offense categories as well.

	Percent change 1988–1992	
	All cases	Detained cases
Delinquency	26%	25%
Person	56	58
Property	23	24
Drugs	-12	-6
Public order	21	14

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The use of detention is more common for cases involving males, blacks, and older juveniles

Males were more likely to be detained than females

	Percent of cases that involved detention in 1992	
	Males	Females
Delinquency	21%	15%
Person	26	17
Property	18	12
Drugs	36	26
Public order	23	22

For both males and females, drug cases had the greatest likelihood of detention in 1992. Among females, however, public order offense cases rather than person offense cases were second to drug cases in the probability of detention. Public order cases involving females were as likely to be detained as those involving males.

While black youth made up 31% of delinquency cases processed in 1992, they were involved in 39% of detained delinquency cases

	Percent of detained cases			
	White	Black	Other races	Total
Delinquency	57%	39%	4%	100%
Person	50	46	3	100
Property	62	33	5	100
Drugs	38	61	1	100
Public order	64	33	3	100

Note: Detail may not total 100% because of rounding.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

As a result of their greater probability of detention in 1992, males were overrepresented in the detention caseload, compared with their proportion in the overall delinquency caseload.

	Percent male	
	All 1992 cases	Detained cases
Delinquency	81%	86%
Person	79	85
Property	81	86
Drugs	88	91
Public order	81	82

Cases involving white youth were least likely to be detained

Cases involving black youth charged with drug offenses had the greatest likelihood of detention.

	Percent of cases that involved detention in 1992		
	White	Black	Other races
Delinquency	18%	25%	22%
Person	21	27	29
Property	15	21	21
Drugs	26	47	19
Public order	23	24	22

Older youth are more likely than younger youth to be detained

	Percent of cases that involved detention in 1992 by age at referral							
	10	11	12	13	14	15	16	17
Delinquency	5%	9%	13%	18%	21%	24%	24%	20%
Person	6	12	16	21	24	27	29	25
Property	4	7	11	15	17	20	20	17
Drugs	*	23	27	31	35	40	37	30
Public order	8	14	18	23	26	27	26	18

- The likelihood of detention was nearly twice as great for cases involving 15- and 16-year-olds as it was for 12-year-olds.
- Cases involving 17-year-olds were slightly less likely to be detained than those involving 15- or 16-year-olds.

* Too few cases to obtain a reliable percentage.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

The age profile of delinquency cases that involved detention did not change substantially between 1988 and 1992

Age at referral	1988	1992
Total	100%	100%
10 or younger	1	1
11 years	1	1
12 years	3	4
13 years	8	9
14 years	16	17
15 years	24	24
16 years	27	26
17 or older	20	17

Note: Detail may not total 100% because of rounding.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Public detention centers reported more than 558,000 admissions in 1990 — on any given day their population was nearly 19,000

What can data on detention center residents tell us?

Information on detention center residents is based on data from OJJDP's *Children in Custody* census of juvenile facilities. This census of facilities has been conducted since 1971. Census questionnaires are completed by facilities every other year. Since 1974 private as well as public facilities have participated, although their response rate has never reached the 100% level. The impact response rate variations have had on the data is not known; thus, private facility trends are not presented.

Facilities report two types of resident data — 1-day population counts, and annual facility admission and release data. One-day counts provide a picture of the standing population; admissions and releases provide a measure of the population flow. However, admissions data do not represent the number of youth detained, as a youth may be admitted to detention more than once during the year.

Facility data and court data count different things. The number of detention center admissions during the year is expected to be substantially higher than the number of cases detained for two reasons: 1) a case may involve multiple admissions (entries) to detention, and 2) the court data only count detentions that occur between referral to court and case disposition; the facility admission count includes detentions prior to referral and after disposition.

The census also captures information on facilities. The data presented here focus on facilities that identified themselves as detention centers.

Most juveniles entering detention centers are awaiting adjudication

Juveniles may be *detained* prior to adjudication or after adjudication while awaiting disposition or placement, they may be *committed* to the detention facility as part of a court-ordered disposition, and a small proportion of juveniles are *voluntarily admitted*. The majority of admissions to detention centers during the year are detentions as opposed to commitments or voluntary admissions.

Admission status	1990 Admissions	Percent
Public facilities	558,563	100%
Committed	36,076	6
Detained	522,120	93
Voluntary	367	<1

One-day count data for February 15, 1991, show that two-thirds of the juveniles detained in public detention centers for delinquency or status offenses were detained while *awaiting adjudication*, and one-third were adjudicated and *awaiting disposition or placement* elsewhere.

The average length of stay in detention was about 2 weeks

The average length of stay for juveniles released from public detention centers in 1990 varied substantially by admission status.

Admission status	1990 Releases	Average length of stay
Public facilities	553,840	15 days
Committed	37,336	29
Detained	516,137	15
Voluntary	367	3

The average length of stay for juveniles released from private detention centers in 1990 was slightly longer — 22 days.

Most juveniles in detention centers are charged with delinquency offenses

Fully 95% of the nearly 19,000 juveniles in public detention centers on February 15, 1991, were held for delinquency offenses; 3% were held for status offenses; 2% were not offenders. Among delinquents with a known offense, property offenses made up the largest proportion, followed by person offenses. For status offenders, valid court order violations (such as violating probation conditions) were the largest proportion, followed by runaways.

Offense	Percent of juveniles in public detention centers on February 15, 1991 Total	Detained	Committed
Delinquency	**100%**	**100%**	**100%**
Person	30	31	22
Violent	20	21	12
Other	10	10	10
Property	36	36	39
Serious	26	25	27
Other	10	10	12
Alcohol	1	1	2
Drugs	10	10	11
Trafficking	6	6	8
Other	4	4	3
Public order	6	6	5
Tech. violation	14	14	20
Other delinq.	2	2	1
Status offense	**100%**	**100%**	**100%**
Running away	33	32	41
Truancy	11	11	13
Incorrigibility	11	12	6
Curfew	2	2	1
Liquor	1	1	3
Valid court order violation	41	42	35
Other status offense	1	1	1

Source: OJJDP. (1993). *Children in custody census 1990-91* [machine-readable data file]

The offense distribution was not very different in 1991 than in 1983. In 1983 there was a greater proportion of property offenders and a smaller proportion of drug offenders.

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The detention center population grew 46% from 1983 to 1991

The overall increase in the number of juveniles in detention on a given day stemmed from an increase in residents charged with delinquency offenses. There was a substantially smaller increase in the number of juveniles held for property offenses compared with other delinquency offense categories. There were fewer status offenders in detention centers in 1991 than in 1983.

Offense	Percent change 1983–1991
Total juvenile residents	46%
Delinquency	48
Person	57
Property	8
Drugs	218
Public order	73
Status offense	-9

Source: OJJDP. (1985, 1993). *Children in custody census 1982/83* and *1990/91* [machine-readable data files].

Relatively few juveniles are held in private detention centers

About 500 juveniles were held in privately operated detention centers on February 15, 1991. Compared with public detention centers, private detention centers held a larger proportion of status offenders (18%) and a smaller proportion of juveniles charged with a delinquency offense (78%). As in public facilities, a very small proportion of the private detention population was made up of nonoffenders (5%).

The offense profile among delinquents was very much the same in private as in public detention centers with property offenders accounting for the largest proportion, followed by juveniles charged with person offenses. Compared with public detention centers, however, private facilities held a greater proportion of juveniles with a drug offense as their most serious charge (15% versus 10% in public facilities).

Minorities made up nearly two-thirds of the juveniles held in public detention centers on February 15, 1991

Race/ethnicity	Percent of total juvenile residents held	
	February 1, 1983	February 15, 1991
Total juvenile residents	100%	100%
White (non-Hispanic)	47	35
Minorities	53	65
White Hispanic	15	19
Black	36	43
Amer. Indian/Alaska Native	1	1
Asian/Pacific Islander	1	2

- In 1983 minorities made up 53% of the public detention population — by 1991 they were 65%.
- The minority proportion was smaller in private detention centers in 1991 than in public facilities, but still accounted for more than half (56%) of the population.

Source: OJJDP. (1985, 1993). *Children in custody census 1982/83* and *1990/91* [machine-readable data files].

There were substantially more minorities held in public detention centers in 1991 than in 1983

Race/ethnicity	Number of juveniles held		Percent change 1983–1991
	Feb. 1, 1983	Feb. 15, 1991	
Total juvenile residents	13,048	18,986	46%
White (non-Hispanic)	6,157	6,629	8
Minorities	6,891	12,357	79
White Hispanic	1,943	3,574	84
Black	4,656	8,203	76
Amer. Indian/Alaska Native	154	227	47
Asian/Pacific Islander	138	353	156

- The number of minorities held in public detention centers increased 79% from 1983–1991; blacks accounted for the majority of the overall increase in the minority population (65%).
- The groups with the greatest relative increases were Asian/Pacific Islanders and white Hispanics.

Source: OJJDP. (1985, 1993). *Children in custody census 1982/83* and *1990/91* [machine-readable data files].

Nearly half of all youth in public detention centers on February 15, 1991, were in 4 States — California, Florida, Michigan, and Ohio

State variations in the upper age of juvenile court jurisdiction influence detention center custody rates

Although State custody rate statistics control for upper age of juvenile court jurisdiction, comparisons made among States with different upper ages are problematic. While 16- and 17-year-olds constitute approximately 25% of the population ages 10–17, they account for more than 40% of youth arrests, delinquency court cases, and juveniles in custody. If all other things were equal, one would expect higher juvenile custody rates in States where these older youth are under juvenile court jurisdiction.

Demographic variations should also be considered when making State comparisons. The urbanicity and economics of an area are related to crime and custody rates. For example, the District of Columbia's relatively high detention rate must be interpreted with the knowledge that the District is largely urban, with a disproportionate segment of its youth population living in poverty (25% of those under age 18 compared with 18% nationwide).

State variations in the availability of detention beds also may have an impact on State detention rates. For example, just as a change in detention policy would have an effect on the detention rate in a jurisdiction, so a change in the bed space available to a jurisdiction could result in a fluctuation in the detention rate.

Nationwide, there were 73 juveniles held in public detention centers for every 100,000 juveniles in the population on February 15, 1991

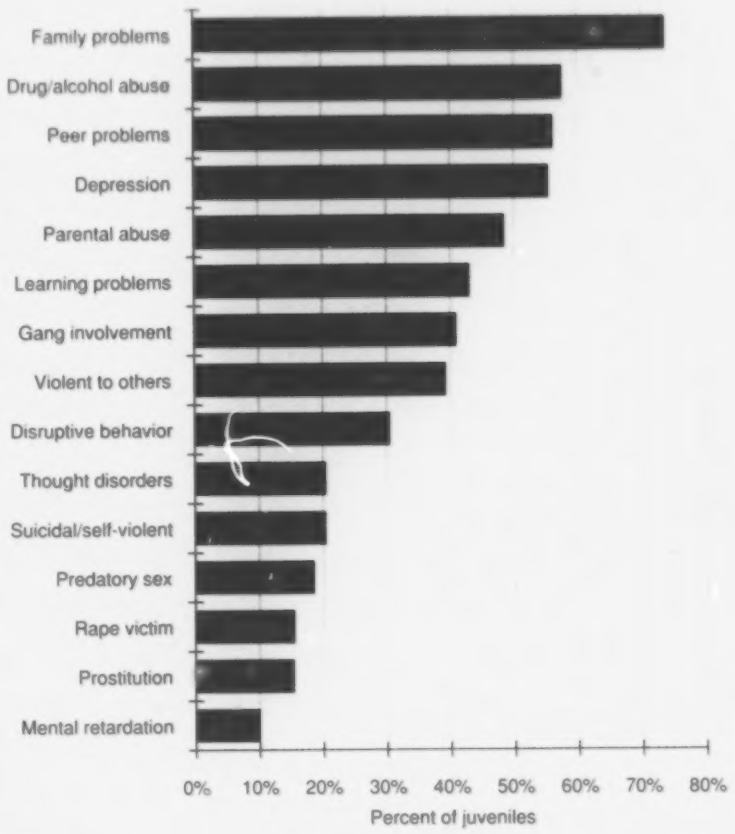
	Number of juveniles on Feb. 15, 1991	Detention rate		Number of juveniles on Feb. 15, 1991	Detention rate		Number of juveniles on Feb. 15, 1991	Detention rate
U.S. Total	18,986	73						
Upper age 17			**Upper age 17 (continued)**			**Upper age 16**		
Alabama	237	49	Nebraska	45	24	Georgia	855	129
Alaska	24	34	Nevada	169	130	Illinois	762	68
Arizona	410	98	New Hampshire	22	19	Louisiana	271	57
Arkansas	38	13	New Jersey	569	73	Massachusetts	90	18
California	5,754	178	New Mexico	82	42	Michigan	1,017	108
Colorado	355	96	North Dakota	5	7	Missouri	305	59
Delaware	35	50	Ohio	1,108	90	South Carolina	9	3
District of Columbia	220	478	Oklahoma	76	20	Texas	868	47
Florida	1,289	103	Oregon	196	60			
Hawaii	22	19	Pennsylvania	520	43			
Idaho	29	20	Rhode Island	0	0	**Upper age 15**		
Indiana	351	54	South Dakota	35	40	Connecticut	80	34
Iowa	56	17	Tennessee	147	27	New York	398	29
Kansas	130	45	Utah	162	56	North Carolina	163	31
Kentucky	81	18	Vermont	17	28			
Maine	0	0	Virginia	616	95			
Maryland	233	48	Washington	647	117			
Minnesota	177	35	West Virginia	56	26			
Mississippi	78	23	Wisconsin	177	31			
Missouri	305	59	Wyoming	0	0			
Montana	0	0						

Note: The detention rate is the number of juveniles in public detention centers on February 15, 1991, per 100,000 juveniles ages 10 through the upper age of juvenile court jurisdiction in each State.

Source: OJJDP. (1993) *Children in custody census 1990/91* [machine-readable data file].

Detention administrators report residents had many social and emotional problems — but completed suicides were rare in 1990

Facility administrators report that a wide range of problems are common among juveniles in detention centers



Note: Administrators used the following response categories to indicate the proportion of juveniles having problems: 0–24%, 25–49%, 50%, 51–74%, 75–99%, 100%. Midrange figures were weighted by the facility's juvenile population and then the population proportions were calculated.

Source: Leiter, V. (1993). *Special analysis of data from the OJJDP conditions of confinement study.*

Ten juvenile residents died while in custody in detention centers during 1990

No homicides were reported. Eight of the reported deaths were deaths of public detention center residents. Of these eight deaths —

- 4 were suicides.
- 2 resulted from illness other than AIDS.
- 1 was the result of an accidental drug overdose.
- 1 resulted from police gun shots while the youth was on escape status.

The four suicides in public detention centers translate to a rate of fewer than 1 suicide for every 100,000 admissions.

Of the two deaths reported by private detention centers —

- 1 was a suicide.
- 1 involved a drowning accident.

Federal mandates to deinstitutionalize status offenders and remove juveniles from jails appear to have been effective

The Juvenile Justice and Delinquency Prevention Act prohibits secure placement of status offenders, nonoffenders

The Juvenile Justice and Delinquency Prevention Act, first enacted in 1974, states that, "juveniles ... charged with or who have committed offenses that would not be criminal if committed by an adult or offenses which do not constitute violations of valid court orders, or alien juveniles in custody, or such nonoffenders as dependent or neglected children, shall not be placed in secure detention facilities or secure correctional facilities...."

Subsequent rulings have interpreted the Act to permit accused status offenders and nonoffenders to be held in secure facilities for up to 24 hours following initial police or initial court contact.

Fewer status offenders were held in secure public facilities in 1991 than in 1975

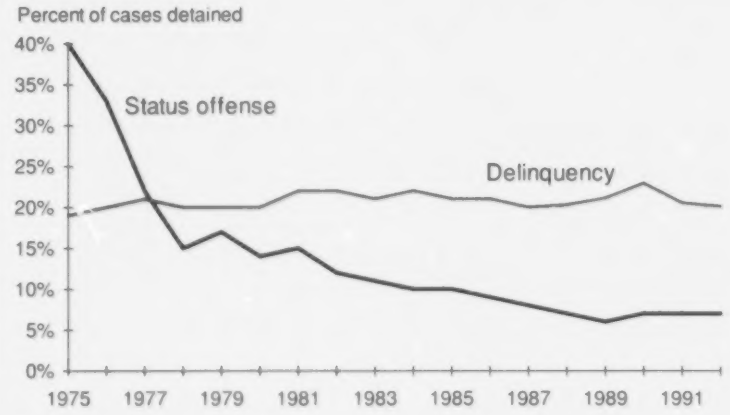
From 1975 to 1991 the number of status offenders and nonoffenders in secure facilities dropped 76%.

1-day count of status offenders and nonoffenders in secure public juvenile facilities:

Year	Number
1975	3,706
1977	1,946
1979	1,055
1983	1,001
1985	1,139
1987	1,061
1989	934
1991	881

Source: OJJDP. (1993). *Children in custody census 1975–1990-91* [machine-readable data files].

Court data show a substantial decline in the use of detention in status offense cases



- In 1975 status offense cases were twice as likely as delinquency cases to involve secure detention between the time of referral to court and case disposition.
- By 1992 the likelihood that a status offense case would involve detention was less than half that for delinquency cases.
- In 1975 an estimated 143,000 status offense cases involved detention—in 1992 the figure was 24,300. It is not known how many of these were in violation of the 24-hour rule.

Source: NCJJ. (1994). *National Juvenile Court Data Archive: Juvenile court case records 1975–1992* [machine-readable data files].

Three-quarters of securely detained status offenders were runaways or youth charged with violating a valid court order

Among status offenders detained in detention centers in 1991, those held for violation of a valid court order made up the largest proportion, followed by runaways.

Many of those charged with violating valid court orders were youth initially charged with running away who subsequently ran from a court ordered placement.

Offense profile of 1991 detained status offenders in public detention centers:

Valid court order violation	42%
Running away	32
Incorrigibility	12
Truancy	11
Curfew	2
Liquor	1
Other status offense	1

Source: OJJDP. (1993). *Children in custody census 1990-91* [machine-readable data file].

The Juvenile Justice and Delinquency Prevention Act limits the placement of juveniles in adult institutions

The Act states that, "... juveniles alleged to be or found to be delinquent and [status offenders and nonoffenders] shall not be detained or confined in any institution in which they have contact with adult persons incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges or with the part-time or full-time security staff (including management) or direct-care staff of a jail or lockup for adults..."

Subsequent rulings have interpreted the Act to permit juveniles to be held in secure adult facilities if the juvenile is being tried as an adult for a felony or has been convicted of a felony. In institutions other than adult jails or lockups confinement is permitted, if the juvenile and adult inmates cannot see each other and no conversation between them is possible. This latter requirement is commonly referred to as "sight and sound separation." There is a 6-hour grace period that allows the temporary holding of delinquents in adult jails or lockups until other arrangements can be made, provided there is sight and sound separation. In rural areas, delinquents may also be held in adult jails or lockups for no more than 24 hours under a certain set of conditions:

- The juvenile is awaiting an initial court appearance.
- There is no alternative placement available.
- There is sight and sound separation.

Fewer juveniles were held in adult jail facilities in 1988 than in 1983

Between 1983 and 1988, the National Jail Census counted those initially subject to juvenile court authority as juveniles *even if they were tried as adults in criminal court*. Nevertheless, National Jail Census data show that fewer juveniles were held in jail facilities in 1988 than in 1983, both in terms of average daily population and admissions.

	Juveniles in adult jail facilities	
Year	Average daily population	Admissions
1983	1,760	105,366
1988	1,451	65,263

Source: BJS. (1990). Census of local jails 1988 and 1983. *BJS Bulletins.*

The number of annual admissions of juveniles reported to the National Jail Census was 38% lower in 1988 than in 1983. It is not known how many of these juveniles were jailed in violation of the jail and lockup removal mandate and how many were held pursuant to its exceptions.

Many detention center residents are held in crowded facilities

How are crowding and living space standards determined?

OJJDP's *Conditions of Confinement* study used several criteria to assess the adequacy of living space in juvenile facilities. The broadest assessment of the adequacy of living space is through occupancy rates — population as a percent of reported design capacity. Practitioners note that as a facility's occupancy approaches 100%, operational functioning may become impaired.

While there are no established occupancy rate standards, there are standards relating to the adequacy of living space. The 1989 American Correctional Association accreditation standards for juvenile facilities required that juveniles confined in one-person sleeping rooms have 70 square feet of floor space, and sleeping rooms housing three or more juveniles have 50 square feet per juvenile. The American Correctional Association standards also require that living units not exceed 25 juveniles.

In 1991 only 26% of juveniles in detention centers were held in facilities that were not crowded by any of these measures. Fourteen percent were held in detention centers that were crowded by each of these measures.

53% of detention center residents were in facilities operating above their design capacity on February 15, 1991

Public detention centers with a design capacity of:	Facilities		Residents	
	Total	Percent operating above design capacity	Total	Percent held in facilities operating above capacity
All public detention centers	439	32%	18,986	53%
Fewer than 31 residents	275	21	4,116	31
31–70 residents	102	46	4,552	46
71–220 residents	47	53	5,125	52
More than 220 residents	15	67	5,193	77

- In 1991 32% of detention centers housed more residents than they were constructed to hold — the 1983 figure was 9%.
- The larger a facility's design capacity, the more likely it was to house more residents than it was constructed to hold.
- Facilities designed to house fewer than 31 residents, however, accounted for the largest number of over-capacity facilities.
- In 1991 over-capacity facilities designed for fewer than 31 residents made up 13% of detention centers and held 6% of detention center residents.
- In 1991 over-capacity facilities designed for more than 220 residents were 3% of all detention centers and held 21% of detention center residents.

Note: Data are for February 15, 1991. Design capacity is the number of residents a facility is constructed to hold without double bunking in single rooms and without using areas not designed as sleeping quarters to house residents.

Source: OJJDP. (1985, 1993). *Children in custody census of juvenile 1982/83* and *1990/91* [machine-readable data files].

A substantial proportion of the detention population is housed in rooms that are too small

In 1991 the majority of detention center residents slept in single (70%) or double (20%) rooms. Detention center sleeping rooms ranged in size from less than 30 to 110 or more square feet per juvenile. Overall, 30% of juveniles in detention centers slept in undersized rooms. Of those in undersized rooms, most were in single (57%) or double (34%) rooms as opposed to multiple occupancy rooms. Most undersized double rooms were large enough to meet the 70 square feet standard if they housed only one juvenile instead of two.

The number of juveniles in living units varies considerably

In 1991, 47% of juveniles held in detention centers were in facilities where at least some of the living units housed more than 25 residents. Among facilities with living units exceeding the 25-person standard, the size of the largest units varied considerably. Five percent of detention centers had 36 or more residents in their largest units — 2 facilities had units with more than 60 residents.

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Detention centers rely on a variety of security measures

Security procedures —

OJJDP's *Conditions of Confinement* study used the following criteria to assess the adequacy of facilities' staff security measures:

Counts — count of youth in custody (facility-wide) 3 or more times per day

Classification — written classification procedures; juveniles classified according to escape risk, danger to self, danger to others, and/or offense history; housing decisions based on classification results

Security staffing ratio — average staffing ratio of 1 staff to 10.6 juveniles [1 staff to 8 juveniles during 2 day shifts, 1 staff to 16 juveniles at night].

Security measures prevent escapes and protect juveniles from harming each other or staff

In juvenile facilities, the use of fences, walls, locks, and surveillance equipment is increasingly common, although they do not tend to have the elaborate security hardware often found in adult jails. In 1991, 62% of juveniles in detention were held in facilities with a perimeter wall or fence; in 1987 the figure was 54%. In 1991, 82% of juveniles in detention were in facilities with surveillance equipment; the 1987 figure was 62%.

Locked sleeping rooms and living units provide both internal and perimeter security. Detention centers varied in their use of locks.

	Percent of juveniles in detention facilities that lock doors	
	Sleeping rooms	Living units
24 hours	49%	89%
Night only	47	3
Day only	2	1
Never	2	7

Counts, classification, and separation are common staff security measures — high staffing ratios are less common

Accreditation standards for juvenile facilities express a preference for relying on staff, rather than on hardware, to provide security. The guiding principle is to house juveniles in the "least restrictive alternative" placement. Staff security measures include taking periodic counts of the youth in custody, using classification and separation procedures, and maintaining an adequate ratio of security staff to juveniles.

Most juvenile detention facilities use staff to provide security, but relatively few take all the recommended staff security measures (regarding counts, classification and separation, and staffing ratios). Only 1% of juveniles in detention in 1991 were in facilities that met none of the staff security criteria; 32% were in detention centers that met all criteria.

Most detention centers have formal resident counts. Nearly 9 in 10 juveniles in detention in 1991 were in facilities with three or more counts each day. Larger facilities were more likely to have formal counts than were small facilities. Facilities with 20 or fewer juveniles were least likely to have three or more counts a day—facilities with more than 150 juveniles were most likely to meet this criterion.

Most detention centers also use classification and separation as part of their security procedures. Facilities use classification and separation procedures to operate in smaller, more manageable units. By making the living unit the architectural and organizational focal point, the population is broken down into smaller, more manageable groups. Nearly 8 in 10 juveniles in detention in 1991 were in facilities that used classification and separation procedures. Larger facilities were more likely to have established classification procedures than were smaller facilities.

Substandard security staffing ratios were fairly widespread in 1991. Just over half of juveniles in detention were in facilities with at least 1 security staff member for every 10.6 juveniles. If a more relaxed standard of 1 staff member to 12 juveniles is applied, three-quarters of juveniles in detention were in facilities meeting this security staffing ratio.

Staff perimeter checks keep residents in and keep contraband and nonresidents out

Most juveniles in detention centers in 1991 were in facilities with perimeter checks by staff (87%). There was little change in the use of perimeter checks since 1987. In that year, 85% of the juveniles in public detention centers were in facilities with perimeter checks.

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In a typical month, there may be 100 detention center escapes

Nationwide, detention centers reported 108 successful escapes and 169 unsuccessful escape attempts during a typical month in 1991. This would translate into an estimated 1,300 escapes and more than 2,000 unsuccessful attempts per year.

The rate of attempted escapes and the rate of successful escapes were virtually the same for detention centers that met the "three or more counts per day" criterion and for those that did not.

Similarly, rates of attempted and completed escapes were the same for facilities with perimeter walls or fences and for facilities without them.

Frisk searches are more common than strip searches or room searches

There is significant variation in the use of searches across facilities. Nationwide, detention centers reported an average of nearly 40 frisk searches, 30 room searches, and 9 strip searches on any given day for every 100 juveniles. Some facilities, however, reported that no searches were conducted. The highest search rates reported by any detention centers were more than 10 times the average search rates.

Most detention centers permit the use of isolation, at least for short periods of time

Three percent of the detention center population was held in facilities that did not permit isolation. Facilities that allowed isolation for up to 24 hours held 50% of juveniles in detention. Facilities holding 15% of juveniles placed no time limits on isolation.

For every 100 juveniles, detention centers reported the equivalent of 3.5 isolation incidents lasting 1 hour or longer each day. The majority of these incidents involved isolations lasting between 1 and 24 hours. These short-term isolations occurred at a daily rate of 3 per 100 juveniles. The rate of isolations lasting more than 24 hours was 1 every other day per 100 juveniles.

Facilities holding 10% of juveniles in detention reported at least 6.6 short-term isolation incidents per day per 100 juveniles. Facilities that did not use any isolation lasting between 1 hour and 1 day held 2% of juveniles in detention.

"Time-out" — is it overused?

According to OJJDP's *Conditions of Confinement* study, most facilities frequently isolate out-of-control juveniles for periods of less than an hour to let them regain control of their behavior. Staff are usually not required to file written reports on these "time-outs." Because there tend to be no records kept on isolations under 1 hour, nothing is known about the prevalence of "time-out." The study authors expressed concern that "time-out" may be overused.

Mechanical restraints — typically handcuffs — are commonly used in juvenile detention centers

Nearly three-quarters (72%) of detention centers reported some use of mechanical restraints during 1990. More juveniles were in facilities that used handcuffs than were in facilities using other types of restraint, such as anklets, security belts, or straight jackets.

Facilities that placed no time limits on the use of mechanical restraints held 28% of juveniles in detention. Facilities that permit mechanical restraint use "until the juvenile is calm" held 12% of juveniles. A limit of up to 15 minutes of restraint was imposed by facilities holding 13% of juveniles. The remaining juveniles were held in facilities that placed time limits on the use of mechanical restraints ranging from 16 minutes to more than 1 hour.

Nationwide, detention centers reported using mechanical restraints at an average rate that for a 100-bed facility would translate into 1 incident per week. In comparison, physical restraint (tackling or holds) was used at an average rate that for a 100-bed facility would be the equivalent of nearly 3 incidents per week. The use of physical restraints varied considerably, however. For example, while 36% of detention centers reported no use of physical restraints during the month, 10% had rates above 9 per 100 beds per week. The highest rate reported for physical restraints was 38 per 100 beds per week.

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Fewer than half of juveniles in detention centers were in facilities that met all six basic health service criteria

Health services—

OJJDP's *Conditions of Confinement* study used the following criteria to assess whether facilities provided juveniles with adequate health screening and continued access to health care throughout their stay:

- Initial health screening within 1 hour of admission.
- Complete health appraisal for juveniles held more than 7 days.
- Information on access to health services provided during orientation.
- Appropriate number of "sick calls" per week allowing juveniles to bring medical problems to the attention of health care staff.
- Written arrangements for emergency health care.
- Staff training in first aid and CPR.

Most facilities provide basic health services

Just under half (48%) of juveniles in detention were held in facilities that met each of these six criteria. Only 3% of juveniles were in facilities that conformed to fewer than four of the criteria.

Percent of juveniles in detention facilities that met health criteria:

Initial health screening	79%
Health appraisals	80
Health services orientation	90
Sick calls	92
Staff first aid/CPR training	92
Written arrangements for emergency care	94

Often initial health screening is not within 1 hour of admission

Virtually all juveniles in detention centers received health screenings at some point (98%) — but 19% of juveniles in detention were in facilities where screenings were performed more than 1 hour after admission.

Most juveniles in detention are in facilities that screen for emergency medical problems (97%) and drug or alcohol use (91%), although such screening may not be within 1 hour of admission.

Most detention centers take active steps to prevent suicides

Nearly all juveniles in detention were in facilities with a written suicide prevention plan (97%), suicide screening at admission (89%), or suicide prevention training for staff (78%). Fewer juveniles were in facilities that monitored juveniles identified as suicide risks at least every 4 minutes (47%). Taken together, one-third of juveniles were in facilities that took all of these prevention measures.

During 1990, there were five resident suicides reported by five different juvenile public and private detention centers. This number of completed suicides is contrasted with the fact that for every 1,000 juveniles in detention, 25 exhibited acts of suicidal behavior (including suicide attempts and gestures, and acts of self-mutilation).

Juveniles held in detention centers were more likely to injure other juveniles than to injure staff

Each day 1 juvenile was injured by another juvenile for every 845 detention center residents. For a facility with just over 100 beds, this would mean about 43 juvenile-on-juvenile injuries over the course of a year. This average masks a wide range of injury rates. There were some facilities that reported no incidents of juveniles injuring other juveniles. In contrast, some facilities had juvenile-on-juvenile injury rates that for a 100-bed facility would translate into 300 injuries a year. Similarly, many facilities reported no staff injuries caused by juveniles and some reported juvenile-on-staff injury rates that were much higher than the average. For a facility with just over 100 residents and the standard staffing ratio of 1 staff to 10.6 juveniles for 3 shifts (about 32 staff) the average rate of juvenile-on-staff injuries would mean about 5 injuries to staff a year.

Injuries to juveniles by staff were relatively less common. Six percent of detention centers reported incidents of staff injuring residents in a 1-month period. Facilities reported 40 juveniles injured by staff during the month.

Juveniles' feelings of safety are relative — After saying that he felt safe, one youth explained to interviewers that the only danger he faced in the facility was getting punched or hit over the head with a chair, whereas at home he worried about getting shot. Since there was no danger of being shot inside the facility, he felt safe.

Juveniles in detention can maintain contact with the community, but it is limited in several ways

One way juveniles maintain contact with the community is through visitation. All facilities allow parental visits. Nearly all juveniles are in facilities that permit visits by attorneys (98%). Most juveniles in detention are in facilities with a volunteer program through which members of the community can come into the facility and visit with residents on a regular basis (91%).

Juveniles can also maintain contact with the community through phone calls, both incoming and outgoing. Although facilities typically place limits on the number of calls juveniles can make and the times calls can be made, most juveniles are allowed at least one call a week (89%). Fewer than half of the juveniles in detention are in facilities that allow them to both make and receive phone calls (44%); slightly more are in facilities that only allow outgoing calls (50%); few are in facilities that prohibit both incoming and outgoing calls (5%). Although most juveniles are in facilities that rarely or never monitor juveniles' phone calls, juveniles typically lack privacy during their calls.

Sending and receiving mail is another means for juveniles in detention to maintain contact with the community. Permitting residents to send and receive mail is a commonly accepted practice. Facility mail policies usually address the circumstances under which mail can be opened, read, or censored. Nearly two-thirds of juveniles in detention are held in facilities that allow mail to be opened by staff only if there is a suspicion of contraband or some other threat to facility security (59%). Five percent of juveniles are in facilities that have policies not to open mail; 17% are in facilities where the policy is to open all mail.

The number of juveniles transferred to criminal court has grown substantially in recent years

In certain cases juveniles may be tried in criminal court

Juveniles charged with serious offenses, with lengthy records of prior offenses, or who are unreceptive to treatment in the juvenile justice system are sometimes transferred to criminal court. The methods used to move juveniles into the adult system vary. In recent years, many States modified their laws to transfer more young offenders into the criminal courts. Increasingly, young offenders are moved into the adult system by legislative or prosecutorial actions rather than by judicial waiver.

There has been a substantial increase in waived cases

Between 1988 and 1992, the number of cases judicially waived to criminal court increased 68%.

Most serious offense	Number of waived cases 1988	1992	Percent change
Delinquency	7,000	11,700	68%
Person	2,000	4,000	101
Property	3,700	5,200	42
Drugs	700	1,400	91
Public order	500	1,000	90

Note: Detail may not add to totals because of rounding. Percent change was calculated using unrounded numbers.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Fewer than half of the cases judicially waived to criminal court involve person offenses

Although several factors may result in young offenders being transferred to criminal court, the offenses involved in such cases often do not match the expectations of elected officials or the public. In 1982, for example, a national survey of criminal court transfers found that 32% of judicial waivers involved violent offenses against persons, while 62% involved either property charges or public order offenses. A similar pattern existed in 1992 when, according to *Juvenile Court Statistics*, person offense cases accounted for just over one-third of judicially waived cases. Two-thirds of the delinquency cases judicially waived in 1992 involved either property offenses, drug law violations, or public order offenses as the most serious charge.

Most serious offense of judicially waived cases in 1992:

Person	34%
Property	45
Drugs	12
Public order	9
Total	100%

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Fewer than 2% of all formally processed delinquency cases are judicially waived to criminal court

Offense	Percent of petitioned delinquency cases that were waived 1988	1989	1990	1991	1992
Delinquency	1.2%	1.4%	1.3%	1.6%	1.6%
Person	1.9	2.0	2.1	2.4	2.4
Property	1.2	1.2	1.1	1.2	1.3
Drugs	1.5	2.8	2.7	4.4	3.1
Public order	0.5	0.5	0.6	0.7	0.8

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Judicially waived cases generally involve older males

	Percent of waived cases 1988	1989	1990	1991	1992
Age at Referral					
15 or younger	7%	11%	10%	9%	12%
16 or older	93	89	90	91	88
Sex					
Male	96%	95%	96%	96%	96%
Female	4	5	4	4	4
Race					
White	54%	49%	45%	46%	47%
Black	43	49	52	52	50
Other	2	2	3	2	3

Note: Detail may not total 100% because of rounding.

Source: Butts, J., et al. (1995). *Juvenile court statistics 1992.*

Given recent increases in juvenile violence, more research is needed on the impact of transferring juveniles to criminal court

Information on the criminal court's response to transferred juveniles is nearly 10 years old

Research capturing court practice in the mid 1980's found that, while transfer to criminal court was reserved for the most serious offenders, these youth were handled more leniently, probably because they were appearing in criminal court for the first time and at a relatively young age. In addition, juveniles tried as adults gain the right to bail, increasing their chances of release from pretrial custody when handled in the criminal system.

A 1978 national survey by Hamparian and others found that the majority of transferred cases sentenced in criminal court received probation, fines, or other alternatives to incarceration. This study found that 46% of cases waived by juvenile court judges and 39% of those filed directly by prosecutors resulted in a criminal court sentence that involved incarceration.

A study by Bortner examined the cases of 214 juveniles who were waived to adult court in 1980 and 1981 and found that the majority (63%) of these cases received probation as the primary disposition. Jail or prison terms were ordered in 32% of cases, fines in 1%, and dismissal in 4%.

Some studies have found adult courts more likely to incarcerate. A study by Fagan compared juvenile and criminal court handling of 15- and 16-year-old felony offenders during 1981–82 in four neighboring counties in two States — New York where such felons are excluded from juvenile court jurisdiction and New Jersey where they are not. The study found that sanctions imposed by juvenile courts in New Jersey were half as likely to include incarceration as were sentences imposed on similar age youth by criminal courts in New York. For example, New Jersey juvenile courts incarcerated 18% of robbery cases, while criminal courts in New York incarcerated 46%. In a more recent sample of cases handled in the same counties during 1986–87, however, the Fagan study found that robbery cases were more likely to receive incarceration in juvenile court (57% vs. 27%).

If incarcerated, transferred juveniles do not always receive longer sentences

A 1986 study by Rudman and others analyzed case outcomes for a sample of 177 violent youth considered for transfer in four urban jurisdictions. In 71 cases, the transfer was denied and the youth was handled in juvenile court. The study found that criminal court sentences were longer than those imposed by juvenile courts. While 43% of the youth handled in juvenile courts received terms of incarceration exceeding 2 years, this was true for 88% of the transferred youth. However, as with other studies that have employed this research design, part of the difference in sentencing could have resulted from the juvenile courts being more likely to transfer more serious cases.

Other studies have compared the length of juvenile and criminal court sentences and found them to be more similar. Fagan examined the sentences imposed by juvenile and adult courts in cases of felony burglary or robbery and found no significant differences in the minimum and maximum terms ordered. In robbery cases, juvenile courts ordered terms of confinement with an average minimum of 11 months and an average maximum of 34 months. Criminal court sentences had average minimum and maximum terms of 11 and 32 months, respectively.

Large numbers of criminal court cases involving offenders under age 18 occur in States where all 16- or 17-year-olds are considered adults

In most jurisdictions, juvenile courts have original responsibility over all law violations committed by youth through age 17. In eight States, however, the upper age of original jurisdiction has been set at 16 (Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, South Carolina, and Texas). In three States (Connecticut, New York, and North Carolina), the age is 15, which means that youth 16 and older are subject to criminal prosecution for any offense.

In 1991, the National Center for Juvenile Justice estimated that up to 176,000 offenders below age 18 were handled in the Nation's criminal courts because State legislatures set the age of adult responsibility for crime at 16 or 17. In comparison, juvenile court judges waived just 9,700 cases to criminal courts in 1991. When the effects of statutory age limits are combined with offense-based exclusions from the juvenile court, it is likely that legislators "transfer" far more youth to criminal court than do either judges or prosecutors.

Procedural differences between juvenile and criminal courts make comparisons difficult

Comparing case outcomes in juvenile and adult courts is problematic. A 1983 study by Greenwood and others examined court dispositions of juveniles and young adults (ages 16–21)

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charged with armed robbery or residential burglary in three large California jurisdictions. The study found that adult court sentences were more severe on average, but the difference was partly due to the juvenile court's differentiated handling of youth charged with the same offense. When offenders had a prior record, the juvenile court's response was far more severe, while criminal court dispositions varied much less with the offender's prior record.

In Los Angeles, for example, robbery cases that involved two or more aggravating factors were nearly 3 times as likely to result in incarceration in juvenile court as those having no aggravating factors. Aggravating factors had less effect on the severity of criminal court dispositions.

	Percent sentenced to incarceration	
Aggravating factors	Criminal court	Juvenile court
None	41%	23%
One	43	38
Two or more	53	63

Source: Greenwood, P., et al. (1983). *Youth crime and juvenile justice in California: A report to the Legislature.*

Transferring young offenders to the criminal courts may not improve the deterrent effect of court sanctions

The Fagan study, for example, compared postrelease outcomes for 15- and 16-year-olds charged with felony robbery or burglary in criminal courts and juvenile courts. The probability of rearrest and reincarceration was no different for youth charged with burglary, regardless of which court handled their case. Offenders charged with robbery, on the other hand, were significantly *less* likely to be rearrested and reincarcerated if they were handled as juveniles. Among the offenders who recidivated during the study's followup period, the length of time before rearrest was significantly *longer* for youth who received juvenile court sanctions.

Studies on the impact of criminal court transfer have not yielded definitive conclusions

The debate over the efficacy of criminal court transfer has been underway for at least 50 years. Yet, there are still no definitive answers to basic questions about the effects of the practice. In many ways, policymakers are operating in the dark on this issue.

Although there have been few reliable studies on the impact of transfer and the studies describe behavior that predates recent large increases in violent juvenile crime, the most common findings of these studies indicate that transferring serious juvenile offenders to the criminal justice system does not appreciably increase the certainty or severity of sanctions. While transfer may increase the length of confinement for some of the most serious offenders, the majority of transferred juveniles receive sentences that are comparable to sanctions already available in the juvenile justice system. More importantly, there is no evidence that young offenders handled in criminal court are less likely to recidivate than those remaining in juvenile court.

Florida's use of concurrent jurisdiction has increased dramatically since 1981

In a growing number of States, juvenile and adult courts have "concurrent jurisdiction" over certain offenders. Prosecutors decide in which court to file charges. National statistics are not available on the young offenders who end up in adult court in this manner. In States that allow such transfers, however, they are likely to outnumber judicial waivers by a large margin.

The State of Florida expanded its concurrent jurisdiction statute in 1981, giving State attorneys more discretion to try offenders under age 18 in adult court. By the early 1990's, cases transferred by prosecutors out-numbered judicial waivers by 6 to 1. In 1993 prosecutor transfers accounted for more than 80% of the offenders under age of 18 who were handled in criminal court. Overall, transfers to criminal court increased 216% between 1981 and 1993. A 1982 national survey of transfers estimated that 2,000 prosecutor transfers occurred nationwide. In 1993 Florida prosecutors alone filed criminal charges in 7,000 cases involving offenders under age 18.

Although Florida's use of prosecutor discretion increased relative to judicial waiver, the offense profile of transferred cases did not change substantially. In fiscal 1993, 29% of cases transferred to Florida's adult courts involved a violent felony as the most serious charge. The majority involved nonviolent felonies such as drug charges and property crimes (54%) or misdemeanors and other delinquency offenses (17%).

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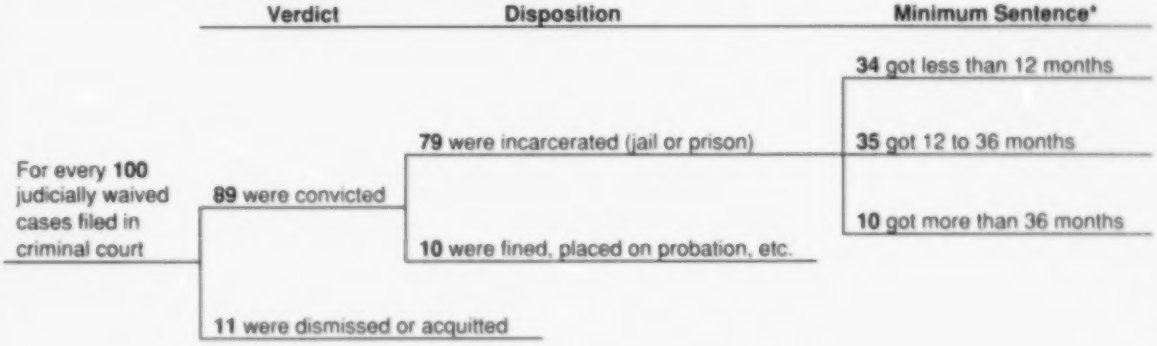
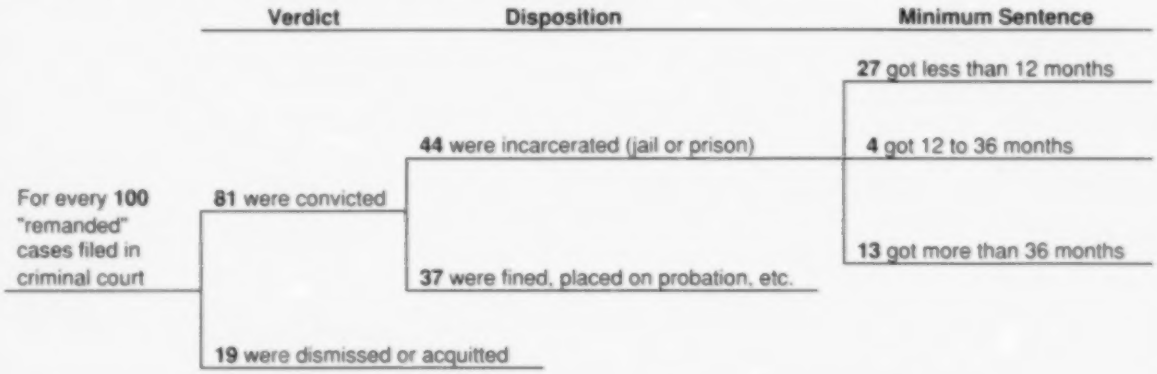
Studies in two States found that in the majority of transferred cases sentenced to incarceration, the length of criminal court sentences did not exceed 3 years — which is within the range of commitment options typically available to juvenile courts

Pennsylvania: A study of all judicially waived cases during 1986 found that 10 in 100 cases waived to criminal court resulted in a period of confinement exceeding 36 months.


Verdict
Disposition
Minimum Sentence*
For every 100 judicially waived cases filed in criminal court
89 were convicted
11 were dismissed or acquitted
79 were incarcerated (jail or prison)
10 were fined, placed on probation, etc.
34 got less than 12 months
35 got 12 to 36 months
10 got more than 36 months

Oregon: A study of juvenile cases that involved major felonies and were transferred to criminal court in 1980 found that 13 in 100 cases resulted in a period of confinement exceeding 36 months.


Verdict
Disposition
Minimum Sentence
For every 100 "remanded" cases filed in criminal court
81 were convicted
19 were dismissed or acquitted
44 were incarcerated (jail or prison)
37 were fined, placed on probation, etc.
27 got less than 12 months
4 got 12 to 36 months
13 got more than 36 months

* The majority of Pennsylvania's offenders were released from confinement upon completing the minimum sentence.

Sources: Lemmon, J., Sontheimer, H., and Saylor, K. (1991). *A study of Pennsylvania juveniles transferred to criminal court*. Heuser, J. (1985). *Juveniles arrested for serious felony crimes in Oregon and "remanded" to criminal courts: A statistical study*.

Most youth referred to juvenile court never return to juvenile court for a new referral

A high percentage of youth have a juvenile court record

While there are likely to be substantial variations from jurisdiction to jurisdiction, a court records study of the court careers of juvenile offenders in the States of Arizona and Utah found that 46% of male juveniles and 21% of female juveniles who lived in the community had been referred to juvenile court at least once before their 18th birthdays.

For most of these youth their juvenile court career ended after the first referral. About 2 in 5 youth returned to juvenile court on a second referral. Males were more likely to recidivate than females; 46% of males referred to juvenile court for the first time were referred again for a new offense, compared with 29% of females.

The probability that a youth will return to court increases with each subsequent referral

The court careers study found that the more prior referrals in a juvenile's career, the more likely the juvenile was to return to court. In contrast to the low recidivism rates for first-time offenders, 59% of youth with two referrals recidivated, as did 74% of those with five referrals.

17-year-olds have a low rate of return to *juvenile* court — new offenses committed at age 18 are referred to *criminal* court

Research has found that recidivism rates are relatively constant for youth below age 16. For example, in the Arizona and Utah court careers study, the recidivism rate for youth below age 16 averaged about 70%. However, the probability that a juvenile would return to the juvenile court for a new offense was far less for older youth.

For 17-year-olds to return to juvenile court, they must commit an offense and be apprehended before their 18th birthday (on average a 6-month time period), while a 14-year-old has more than a 3-year window. This shorter time at risk of referral to juvenile court drastically reduces the probability of a new juvenile court referral for older juveniles even if both younger and older juveniles are committing crimes at the same rate.

If the law violating careers of the juveniles were followed into the adult system (the recidivism measure included referrals to adult courts), the recidivism rates for 16- and 17-year-olds would likely be more similar to those of younger offenders.

Some factors are predictive of future court involvement

Researchers are not able to predict which individual juveniles will become chronic offenders and which will cease their law-violating behavior. However, some general patterns have been found in juvenile court careers.

The risk of being referred to the juvenile court again varies with offender's age and number of referrals in the court career

Age at referral	Percent of juveniles that returned to juvenile court after each referral								
	Number of court referrals								At any referral
	1	2	3	4	5	6	7	8	
All ages	41%	59%	67%	71%	74%	77%	77%	79%	56%
10	61	84	96	97	*	*	*	*	71
11	60	85	91	92	98	*	*	*	72
12	59	83	89	97	98	95	98	96	72
13	57	82	90	93	95	97	96	98	73
14	53	77	86	91	92	94	96	95	70
15	45	69	80	84	89	89	91	93	66
16	33	55	68	73	77	81	82	83	54
17	16	27	36	41	45	48	50	53	30

- Without taking into consideration a youth's age or prior record, 56 of every 100 juveniles referred to court intake returned for a new offense.
- One definition of a *chronic offender* is an offender with a 75% probability of reoffending. While most youth with 6 or more referrals in their court career fall into this category, so do all youth 14 or younger with 2 referrals in their careers and all youth 15 or younger with 3 referrals in their court careers.

* Too few cases to obtain a reliable percentage.

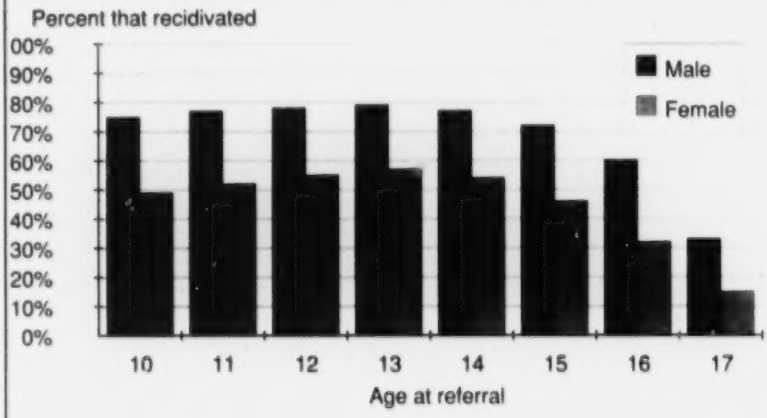
Source: Snyder, H. (1988). *Court careers of juvenile offenders.*

Youth initially referred to juvenile court for burglary and truancy were the most likely to return to juvenile court

First offense	Percent that recidivated
Burglary	58%
Truancy	57
Incorrigibility	56
Vandalism	52
Motor vehicle theft	51
Robbery	51
Simple assault	45
Aggravated assault	44
Weapons	44
Drug offense	41
Curfew violation	40
Disorderly conduct	38
Trespassing	37
Shoplifting	34
Running away	32
Underage drinking	30

Source: Snyder, H. (1988). *Court careers of juvenile offenders.*

For both males and females the probability of a subsequent referral to juvenile court remained relatively constant through age 15



- The discrepancy between male and female recidivism probabilities was greater in the older age groups.

Source: Snyder, H. (1988). *Court careers of juvenile offenders.*

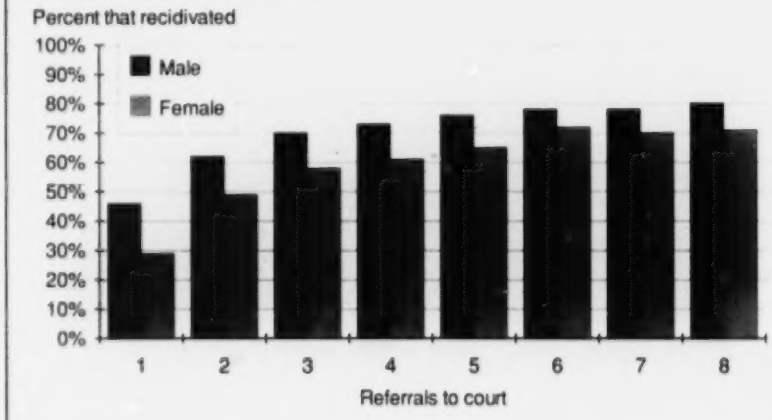
The younger juveniles are at first referral, the more juvenile court referrals they are likely to accrue

Age at onset	Percent of careers with at least 4 court referrals: All youth	Males	Females
All Ages	16%	20%	8%
10	37	41	20
11	35	40	20
12	33	39	18
13	29	36	17
14	23	29	13
15	15	20	7
16	7	9	2
17	1	2	<1

- The proportion of juveniles who eventually accrued at least 4 referrals in their court careers was low, and strongly related to the age at which the juvenile was first referred to court intake.

Source: Snyder, H. (1988). *Court careers of juvenile offenders.*

As the court career lengthened, the recidivism probabilities of males and females became more similar



Source: Snyder, H. (1988). *Court careers of juvenile offenders.*

The first offense in a court career is only slightly predictive of the nature of subsequent offending

First offense	Percent that returned to juvenile court	Percent with subsequent referrals for				
		Person	Property	Drugs	Public order	Status
Any offense	41%	7%	26%	7%	13%	20%
Person	45	14	29	6	14	18
Property	43	8	31	7	14	19
Drugs	41	5	21	11	11	21
Public order	34	5	19	5	13	16
Status	38	4	19	5	11	24

- Most juvenile court careers show some specialization amid a mixed pattern of offending. For example, although juveniles whose first offense was a person offense were more likely to have a subsequent person offense than other juveniles, they were most likely to return for a property offense.

Note: Detail sums to more than total because a career could include more than one subsequent referral and in more than one offense category.

Source: Snyder, H. (1988). *Court careers of juvenile offenders.*

A more effective juvenile justice system could reduce the cost of the total justice system

A recent study by the South Carolina Department of Youth Services (DYS) attempted to estimate the savings to the State of a more effective juvenile justice system. The study examined the juvenile and adult records of a cohort of males born in 1967. Records showed that 29% of those whose most severe juvenile disposition was probation had either been placed on adult probation or in an adult institution by their 21st birthdays.

DYS calculated the savings to the criminal justice system — savings in court, probation, and correction costs— that could be achieved if juvenile court interventions were improved to make a realistic reduction in recidivism. If the adult recidivism of juvenile probationers were cut from 29% to 25%, the annual savings to the State was estimated to equal one-half of all the money the State spends annually on its juvenile justice system.

Thus, a small improvement in the effectiveness of juvenile justice interventions could have a substantial impact on State budgets if the savings amassed by the criminal justice system are taken into account.

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Chapter 7

Juveniles in correctional facilities

Juvenile corrections is comprised of many different components. Some juvenile correctional facilities look much like adult prisons. Others seem much like "home." Unlike adult corrections, private facilities continue to play a substantial role in the long-term custody of juveniles. In fact, although they do not hold as many juveniles, there are many more privately operated juvenile facilities than publicly operated facilities.

This chapter describes the population of juveniles in custody and the facilities that hold them. The long-term custody population is described in terms of demographics, offense, average length of stay, and facility type. This information is based on OJJDP's Children in Custody Census of Juvenile Detention, Correctional, and Shelter Facilities. Information on the characteristics of the facilities themselves (from OJJDP's *Conditions of Confinement* report) is also presented. A somewhat different look at juvenile corrections is provided by OJJDP's *Juveniles Taken Into Custody* report, which presents information on juveniles admitted to State juvenile correctional systems. This chapter also includes descriptions of juveniles held in adult prisons as well as those on death row.

Acknowledgments

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Long-term public facilities reported nearly 98,000 admissions in 1990

Juvenile correctional facilities are classified in different ways

Information on residents of long-term custody facilities is drawn from OJJDP's *Children in Custody* census of juvenile facilities. This census of facilities has been conducted since 1971. Facilities are asked to complete census questionnaires every other year. Private facilities were included in the census for the first time in 1974; however, their response rate has never reached the 100% level. Private facility trends are not presented because it is not known what impact response rate variations have had on the data.

The *Children in Custody* census classifies facilities in several different ways. Facilities are identified as *publicly* or *privately* operated. The census also collects information on each facility's primary purpose and categorizes them as *long-term* or *short-term* facilities. Typically, short-term facilities hold juveniles awaiting adjudication, disposition, or placement, and long-term facilities hold juveniles who have been adjudicated and committed to custody.

Data are collected on each facility's environment (security and access to the community) and they are categorized as *institutional* or *open* facilities. The census also asks each respondent to identify the facility as either a detention center; shelter; reception or diagnostic center; training school; ranch, camp, or farm; or as a halfway house or group home. Long-term institutional facilities include training schools and some facilities in the ranch/camp/farm group. Long-term open facilities consist of ranches, camps, farms, halfway houses, and group homes.

Some facilities serve more than one purpose. For example, a training school may also have a detention unit, or a detention center may house a long-term treatment unit for adjudicated offenders. While the census groups the facility according to its primary purpose, population counts are reported separately for committed, detained, and voluntarily admitted juveniles.

Most juveniles in long-term facilities were committed there

Juveniles may be *committed* to a facility as part of a court-ordered disposition, they may be *detained* prior to adjudication or after adjudication while awaiting disposition or placement, and a small proportion of juveniles are *voluntarily admitted* (by themselves, or referred by their parents, school officials, or a diversion program). Most admissions to long-term public facilities are commitment admissions.

Admissions to public long-term facilities:

Admission status	1990 Admissions	Percent
Total	97,732	100%
Committed	82,840	85
Detained	11,957	12
Voluntary	2,935	3
Institutional facilities	65,481	100%
Committed	56,330	86
Detained	9,063	14
Voluntary	88	<1
Open facilities	32,251	100%
Committed	26,510	82
Detained	2,894	9
Voluntary	2,847	9

Source: OJJDP (1993). *Children in custody census 1990-1991* [machine-readable data file]

The average length of stay for youth committed to long-term facilities was about 6 months

Overall, juveniles released from long-term public facilities during 1990 remained in custody 5 months on average. The average length of stay, however, varied substantially by facility type and admission status. Committed juveniles remained in custody longer than detained juveniles or those who were voluntarily admitted. Juveniles held in detention units in otherwise long-term facilities stayed longer than juveniles detained in detention centers (21 vs. 15 days).

The average length of stay was longer in institutional than in open facilities. This resulted from the difference in stays for committed juveniles and the greater proportion of voluntary admissions in open facilities.

Releases from public long-term facilities:

Admission status	1990 Releases	Average length of stay
Total	93,352*	157 days
Committed	78,880	182
Detained	11,563	21
Voluntary	2,909	22
Institutional facilities	62,659*	171
Committed	53,843	196
Detained	8,728	21
Voluntary	88	28
Open facilities	30,693*	129
Committed	25,037	153
Detained	2,835	22
Voluntary	2,821	22

* Length of stay was not reported for an additional 102 institutional and 152 open releases.

Source: OJJDP (1993). *Children in custody census 1990-1991* [machine-readable data file]

The average length of stay for long-term private facilities in 1990 was slightly longer than for public facilities — 186 days for institutional facilities, 173 days for open facilities, and 175 for the overall average.

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Public facilities primarily hold delinquents, private facilities house a greater proportion of status offenders and nonoffenders

Most juveniles in public custody are in institutional facilities

Three-quarters of the more than 36,000 juveniles held in public long-term facilities in 1991 were held in institutional facilities — primarily training schools. Compared with the population in long-term public facilities, those in private long-term facilities were more apt to be held in open than in institutional facilities.

Of the roughly 34,000 juveniles held in privately operated long-term facilities, 80% were held in facilities with open environments. Most of these were in halfway houses. The majority of youth in private institutional facilities were in training schools.

Juveniles held for person offenses and property crimes made up equal proportions of the public long-term institutional facility population

Most serious offense	Percent of juveniles in public long-term facilities on February 15, 1991					
	Institutional facilities			Open facilities		
	Total	Committed	Detained	Total	Committed	Detained
Delinquency	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**
Person	39	39	32	25	25	21
Violent	24	25	18	13	13	6
Other	15	15	14	12	12	16
Property	38	39	32	50	50	56
Serious	24	24	26	32	32	24
Other	14	14	6	18	18	32
Alcohol	1	1	1	2	2	1
Drugs	11	11	16	11	11	2
Trafficking	6	5	10	6	6	0
Other	6	6	6	5	5	2
Public order	4	4	2	5	5	3
Tech. violation	6	5	16	7	7	10
Other delinq.	2	0	1	0	0	7
Status offense	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**
Running away	22	21	43	28	27	42
Truancy	21	21	0	22	23	11
Incorrigibility	31	31	14	27	27	32
Curfew	8	8	0	2	2	0
Liquor	5	5	0	8	8	5
Valid court order violation	11	10	43	12	12	5
Other status offense	3	3	0	2	2	5

- Virtually 100% of the 27,093 juveniles held in public long-term institutional facilities on February 15, 1991, were held for law violations—98% for delinquency offenses and 1% for status offenses. Nonoffenders made up less than half of 1% of the population.
- Compared with long-term institutional facilities, long-term open facilities held a greater proportion of status offenders (6%) and nonoffenders (6%). The overwhelming majority of residents, though, were held for delinquency offenses (91%).
- In both institutional and open long-term facilities, only about 1 in 10 delinquents were female. Females made up a larger share of status offenders, especially in open facilities. About 3 in 10 status offenders were female in institutional facilities, compared with 4 in 10 in open facilities. Only among runaways in open facilities did females outnumber males.

Source: OJJDP. (1993). *Children in custody census 1990 91* [machine-readable data file].

Many juveniles in private long-term facilities are not held for any law violation

Private long-term institutional facilities held greater proportions of status offenders and nonoffenders than did their public counterparts.

- Status offenders were 12% of private and 1% of public institutional facility residents; nonoffenders were 37% of private and <1% of public institutional residents.
- About 4 in 10 nonoffenders were voluntarily admitted to the facility.
- Most voluntarily admitted juveniles were referred to the facility by school officials or by their parents. Others were part of a diversion program. Very few juveniles were self-admitted.
- 51% of private long-term institutional facility residents were held for delinquency offenses.
- 40% of delinquents were held for property offenses.
- 35% were held for person offenses.
- 12% were held for drug offenses.

Private long-term open facilities held a greater proportion of nonoffenders (48%) than did their public facility counterparts (6%). As with institutional facilities, about 4 in 10 nonoffenders were juveniles voluntarily admitted to the facility — and about half of these were referred by school officials, another third were referred by their parents. Some juveniles were part of a diversion program. Relatively few were self-admitted.

- 38% of residents were held for delinquency offenses.
- 49% of delinquents were held for property offenses.
- 21% were held for person offenses.
- 14% were held for drug offenses.

The minority custody population rose between 1983 and 1991, while the white custody population declined

Minorities were more than two-thirds of all residents in public long-term facilities

Race/ethnicity	Percent of total juvenile residents
Institutional facility residents	100%
White (non-Hispanic)	31
Minorities	69
White Hispanic	17
Black	49
Amer. Indian/Alaska Native	1
Asian/Pacific Islander	2
Open facility residents	100%
White (non-Hispanic)	44
Minorities	56
White Hispanic	15
Black	37
Amer. Indian/Alaska Native	3
Asian/Pacific Islander	1

Source: OJJDP. (1993). *Children in custody census 1990/91* [machine-readable data files].

Private long-term facilities also house a disproportionate number of minorities

The custody population in private long-term institutional facilities had a smaller proportion of minorities (51%) than did their publicly operated counterparts (69%). The same was true for private long-term open facilities. Minorities made up 41% of juveniles held in private long-term open facilities, compared with 56% of those in public long-term open facilities.

The 1991 public long-term custody rate for blacks — 424 per 100,000 black juveniles in the population — was nearly 5 times the rate for whites

	Custody rate				Custody rate		
	White	Black	Other race		White	Black	Other race
U.S. Total	88	424	102				
Alabama	62	187	0	Missouri	85	498	54
Alaska	219	874	439	Montana	169	912	567
Arizona	113	670	50	Nebraska	97	563	658
Arkansas	45	228	27	Nevada	222	1,174	185
California	215	1,191	120	New Hampshire	74	318	0
Colorado	58	299	85	New Jersey	51	553	0
Connecticut	55	340	35	New Mexico	222	787	159
Delaware	44	461	0	New York	73	474	37
District of Columbia	39	417	0	North Carolina	60	306	121
Florida	27	173	04	North Dakota	64	0	505
Georgia	33	254	09	Ohio	115	844	13
Hawaii	18	00	68	Oklahoma	40	278	35
Idaho	68	810	176	Oregon	142	813	182
Illinois	56	364	08	Pennsylvania	31	340	09
Indiana	117	437	0	Rhode Island	94	955	261
Iowa	78	664	281	South Carolina	93	335	27
Kansas	133	736	144	South Dakota	164	907	493
Kentucky	99	358	64	Tennessee	62	301	52
Louisiana	41	295	11	Texas	63	272	18
Maine	180	890	261	Utah	24	367	20
Maryland	36	305	10	Vermont	0	0	0
Massachusetts	13	112	30	Virginia	83	371	38
Michigan	50	323	42	Washington	107	961	155
Minnesota	58	717	387	West Virginia	47	159	73
Mississippi	30	170	87	Wisconsin	60	832	228
				Wyoming	172	558	383

Note: The custody rate is the number of juveniles in public long-term facilities on February 15, 1991, per 100,000 juveniles ages 10 through the upper age of juvenile court jurisdiction in each State.

Source: OJJDP. (1993). *Children in custody census 1990/91* [machine-readable data file].

Both institutional and open long-term public facilities saw increases in their minority populations

Race/ethnicity	Number on February 15, 1991	Percent change 1983–1991
Institutional facilities		
Total juvenile residents	27,093	10%
White (non-Hispanic)	8,377	-23
Total minorities	18,716	37
White Hispanic	4,589	58
Black	13,224	28
Amer. Indian/Alaska Native	379	-6
Asian/Pacific Islander	524	495

- The number of minorities held in public long-term institutional facilities increased 37% from 1983–1991; in open facilities the increase was 31%.

Race/ethnicity	Number on February 15, 1991	Percent change 1983–1991
Open facilities		
Total juvenile residents	9,185	2%
White (non-Hispanic)	4,000	-20
Total minorities	5,185	31
White Hispanic	1,407	88
Black	3,408	14
Amer. Indian/Alaska Native	243	44
Asian/Pacific Islander	127	149

- From 1983–1991, the number of non-Hispanic white juveniles held in public long-term facilities dropped — 23% in institutional facilities and 20% in open facilities.

Source: OJJDP. (1985, 1993). *Children in custody census 1982/83* and *1990/91* [machine-readable data files].

The public long-term custody population increased 8% from 1983 to 1991

The overall increase in the number of juveniles in public long-term facilities on a given day resulted primarily from increases in the number of juveniles held in institutional facilities.

Most serious offense	Percent change 1983–1991
Public long-term	
Total juvenile residents	8%
Long-term institutional	**10%**
Delinquency	13
Person	27
Property	-17
Drugs	319
Public order	37
Status offense	-38
Long-term open	**2%**
Delinquency	9
Person	38
Property	-27
Drugs	61
Public order	10
Status offense	-32

Source: OJJDP. (1985, 1993). *Children in custody census 1982/83* and *1990/91* [machine-readable data file].

The population of juveniles held in private long-term facilities was younger than the population held in public facilities

	Percent of juveniles			
	Institutional facilities		Open facilities	
Juvenile's age	Public	Private	Public	Private
All ages	100%	100%	100%	100%
12 and younger	1	7	2	9
13	2	7	4	8
14	7	14	12	16
15	16	24	22	27
16	25	26	28	22
17	25	16	24	14
18 and older	23	6	8	5

- Nearly one-quarter of those in public long-term institutional facilities were youth 18 or older who had been admitted as juveniles and were held beyond their 18th birthday under extended jurisdiction provisions.
- In both public and private long-term facilities females tended to be younger, on average, than their male counterparts.

Note: Detail may not total 100% because of rounding.

Source: OJJDP. (1993). *Children in custody census 1990/91* [machine-readable data file].

Nearly half of all juveniles held in public training schools on February 15, 1991, were in 5 States

State "upper age" variations influence custody rates

Although State custody rate statistics control for upper age of juvenile court jurisdiction, comparisons made among States with different upper ages are problematic. While 16- and 17-year-olds constitute approximately 25% of the population ages 10–17, they account for more than 40% of youth arrests, delinquency court cases, and juveniles in custody. If all other factors were equal, one would expect higher juvenile custody rates in States where older youth are under juvenile court jurisdiction. In addition to upper age differences, custody rates are influenced by differences in age limits of extended jurisdiction. Some States may keep a youth in custody for several years beyond the upper age of juvenile court jurisdiction; others cannot. Demographic variations should also be considered when making State comparisons. Urbanicity and economics of an area are thought to be related to crime and custody rates.

Variations in the use of private facilities also affects custody rates

In 1991 privately operated facilities accounted for nearly two-thirds of all juvenile custody facilities and held nearly 40% of the juveniles in custody on any given day.

It is important to realize that juvenile courts often send juveniles to private facilities located in other States. For example, Pennsylvania's private facilities hold many juveniles committed by courts in other States. Out-of-State residents are counted according to the location of the facility rather than the jurisdiction(s) ordering the placement. Thus, private data do not support State comparisons — States can only be compared on public facility custody rates.

Nationwide, there were 109 juveniles held in public training schools for every 100,000 juveniles in the population on February 15, 1991

	Number of juveniles on February 15, 1991	Custody rate		Number of juveniles on February 15, 1991	Custody rate		Number of juveniles on February 15, 1991	Custody rate
U.S. Total	28,535	109						
Upper age 17			**Upper age 17 (continued)**			**Upper age 16**		
Alabama	403	83	Nebraska	248	131	Georgia	686	103
Alaska	193	277	Nevada	296	228	Illinois	1,267	113
Arizona	526	126	New Hampshire	86	75	Louisiana	649	136
Arkansas	243	85	New Jersey	659	85	Massachusetts	38	08
California	6,351	197	New Mexico	342	174	Michigan	729	78
Colorado	304	82	North Dakota	70	92	Missouri	400	78
Delaware	95	137	Ohio	2,359	192	South Carolina	613	170
District of Columbia	150	326	Oklahoma	178	48	Texas	1,439	78
Florida	151	12	Oregon	439	134			
Hawaii	62	52	Pennsylvania	611	50			
Idaho	107	73	Rhode Island	150	157	**Upper age 15**		
Indiana	779	119	South Dakota	129	146	Connecticut	210	89
Iowa	289	89	Tennessee	406	74	New York	1,800	131
Kansas	469	163	Utah	66	23	North Carolina	694	130
Kentucky	330	75	Vermont	0	0			
Maine	249	185	Virginia	624	96			
Maryland	353	73	Washington	483	87			
Minnesota	381	76	West Virginia	110	51			
Mississippi	322	94	Wisconsin	684	120			
Missouri	400	200	Wyoming	113	182			
Montana	200							

Note: The custody rate is the number of juveniles in training schools on February 15, 1991, per 100,000 juveniles ages 10 through the upper age of juvenile court jurisdiction in each State.

Source: OJJDP. (1993). *Children in custody census 1990/91* [machine-readable data file].

Long-term facilities reported 32 resident deaths during 1990

Accidents were the leading cause of death

In both public and private long-term facilities, accidents were a common cause of death. For both public and private facilities, half of the accidental deaths reported occurred while the juvenile was away from the facility — typically on escape status. Of the 12 accidental deaths reported, 5 involved car accidents.

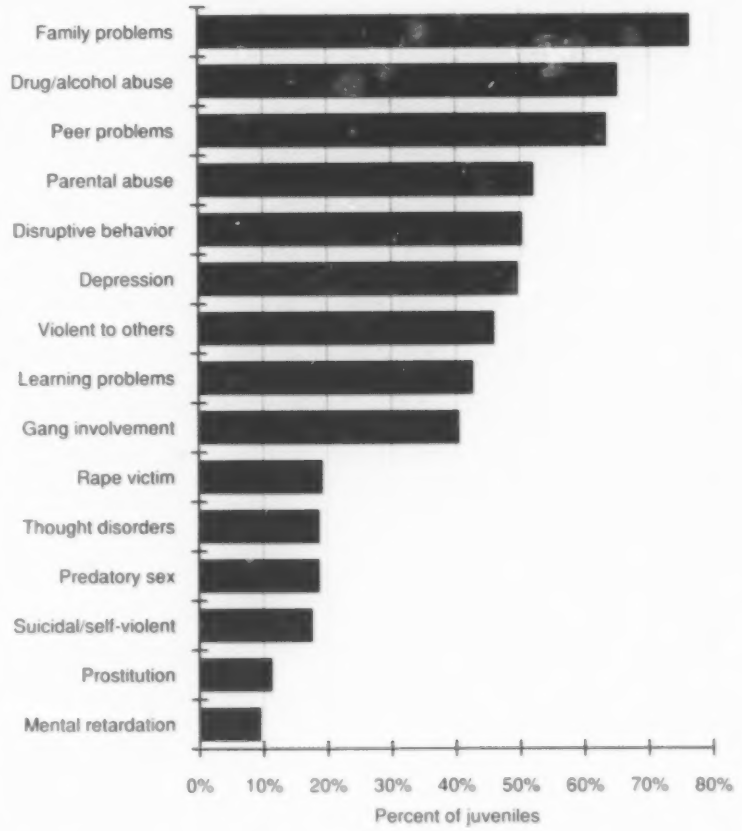
There were more homicides reported by public than by private facilities. However, none of the homicides were committed by residents (they may have occurred outside the facility while the juvenile was on leave or escape status). No deaths stemming from acquired immune deficiency syndrome (AIDS) were reported.

The suicide rate for public long-term facilities was 5 per 100,000 admissions. For private long-term facilities, the suicide rate was 4 per 100,000 admissions.

	Number of juvenile deaths in 1990	
Cause of death	Public	Private
Accident	6	6
Homicide	6	2
Suicide	5	3
Illness	1	1
Other	0	2
Total	18	14

Source: OJJDP. (1985 and 1993). *Children in custody census 1982/83* and *1990/91* [machine-readable data files].

Family problems are the most common type of problem among juveniles in custody, according to facility administrators



Note: Administrators indicated the proportion of juveniles having certain problems in the following response categories: 0–24%, 25–49%, 50%, 51–74%, 75–99%, 100%. Midrange figures were weighted by the facility's juvenile population and then the population proportions were calculated.

Source: Leiter, V. (1993). *Special analysis of data from the OJJDP conditions of confinement study.*

The majority of juveniles held in long-term facilities are housed in crowded facilities

Crowding and living space standards—

The broadest assessment of the adequacy of living space is through occupancy rates—population as a percent of reported design capacity. Practitioners note that as a facility's occupancy approaches 100%, operational functioning may become impaired.

While there are no established occupancy rate standards, there are standards relating to the adequacy of living space. The 1989 American Correctional Association accreditation standards for juvenile facilities required that juveniles confined in one-person sleeping rooms have 70 square feet of floor space and sleeping rooms housing three or more juveniles have 50 square feet per juvenile. The American Correctional Association standards also required that living units not exceed 25 juveniles.

In 1991 only 23% of juveniles in training schools and 31% of those in ranches were held in facilities that were not crowded by any of these measures. Twenty-nine percent of those in training schools and 6% of those in ranches were held in facilities that were crowded by each of these measures.

62% of residents of public long-term institutional facilities were in facilities operating above their design capacity on February 15, 1991

Public long-term institutional facilities with a design capacity of—	Facilities		Residents	
	Total	Percent operating above design capacity	Total	Percent held in facilities operating above capacity
Fewer than 111 residents	137	35%	5,705	38%
111–200 residents	50	54	7,210	56
201–350 residents	26	58	6,711	58
More than 350 residents	14	79	9,126	85
All public long-term institutional facilities	227	44	28,752	62

- In 1991, 44% of long-term institutional facilities housed more residents than they were constructed to hold — the 1983 figure was 32%.
- The larger a facility's design capacity, the more likely it was to house more residents than it was constructed to hold.
- Facilities designed to house fewer than 111 residents accounted for the largest number of over-capacity facilities.
- In 1991 over-capacity facilities designed for fewer than 111 residents made up 21% of long-term institutional facilities, but held 8% of long-term institutional facility residents.
- In 1991 over-capacity facilities designed for more than 350 residents were 5% of all long-term institutional facilities, but held 27% of long-term institutional facility residents.

Note: Data are for February 15, 1991. Design capacity is the number of residents a facility is constructed to hold without double-bunking in single rooms and without housing residents in areas not designed as sleeping quarters.

Source: OJJDP. (1985 and 1993). *Children in custody census of public juvenile detention, correctional, and shelter facilities 1982/83 and 1990/91* [machine-readable data file].

A large proportion of training school residents are housed in rooms that are too small

In 1991 more training school residents slept in single rooms (36%) than in double rooms (23%), rooms for 3–10 (12%), or in dormitories with 11 or more residents (28%). Training school sleeping rooms ranged in size from 30 to 110 or more square feet per juvenile. Overall, 35% of juveniles in training schools slept in undersized rooms. Of those in undersized rooms, most were in double rooms or dorms (35% for each), 24% were in single rooms, and 5% were in rooms sleeping 3–10 residents.

The pattern was similar in ranches, although ranch residents were most likely to be housed in dorms (42%). Overall, 23% of ranch residents slept in undersized rooms. As in training schools, most ranch residents in undersized rooms were in double rooms (44%) or dorms (32%), while 22% were in rooms sleeping 3–10 residents, and just 2% were in single rooms. In both types of facilities, most of these undersized rooms could meet the square footage standards if they housed fewer juveniles.

The number of juveniles in living units varied considerably

In 1991, 54% of juveniles held in training schools and 40% of those in ranches were in facilities where at least some of the living units housed more than 25 residents. Among facilities with living units exceeding the 25-person standard, the size of the largest units varied considerably. For both training schools and ranches, 15% of facilities had 36 or more residents in their largest units. Among training schools, only 1% of facilities had units with more than 80 residents; for ranches the figure was 5%.

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Ranch facilities rely less on hardware and more on staff for security than training schools

Security procedures—

OJJDP's *Conditions of Confinement* study used the following criteria to assess the adequacy of facilities' staff security measures:

Counts—3 or more facility-wide counts of youth in custody per day

Classification—written classification procedures; juveniles classified according to escape risk, danger to self, danger to others, and/or offense history; housing decisions based on classification results

Security staffing ratio—average staffing ratio: 1 staff to 10.6 juveniles [1 staff to 8 juveniles during 2 day shifts, 1 staff to 16 juveniles at night].

Perimeter security has increased

In juvenile facilities the use of fences, walls, and surveillance equipment is increasingly common, although they do not tend to have the elaborate security hardware often found in adult jails. In 1991, 44% of juveniles in training schools were held in facilities with a perimeter wall or fence — in 1987 the figure was 38%. In 1991, 50% of juveniles in training schools were in facilities with surveillance equipment — the 1987 figure was 39%. Few juveniles were in ranches with perimeter walls or fences (13%), although the use of surveillance cameras has increased (6% of ranch residents in 1987 — 36% in 1991).

Most juveniles in training schools in 1991 were in facilities with perimeter checks by staff (84%). Relatively few ranch residents were in facilities with staff perimeter checks (60%).

Locked sleeping rooms and living units provide both internal and perimeter security

Training schools are more apt to be locked than ranches, but even within facility type there was variation in the use of locks.

Percent of juveniles in facilities that lock doors to—	Training schools	Ranches
Sleeping rooms		
24 hours per day	23%	6%
Only at night	31	4
Only during the day	3	4
Never	43	86
Living units		
24 hours per day	52%	6%
Only at night	22	22
Only during the day	4	7
Never	22	65

Juvenile facilities tend to rely on staffing rather than on hardware for security

National standards for juvenile facilities express a preference for relying on staff, rather than on hardware, to provide security. The guiding principle is to house juveniles in the "least restrictive placement alternative." Staff security measures include periodically taking counts of the youth in custody, using classification and separation procedures, and maintaining an adequate ratio of security staff to juveniles.

Most long-term juvenile facilities use staff to provide security, but relatively few take all the recommended staff security measures (regarding counts, classification and separation, and staffing ratios). Only 8% of juveniles in training schools and 14% of those in ranches in 1991 were in facilities that met none of the staff security criteria; while 16% of juveniles in training schools and 2% of juveniles in ranches were in facilities that met all criteria.

Most training schools have formal resident counts. More than 8 in 10 juveniles in training schools in 1991 were in facilities with three or more counts each day. Larger facilities were more likely to have formal counts than were smaller facilities.

Juveniles in ranches are more likely to be in facilities that do not conduct three or more counts a day. Less secure ranches tend to rely on informal, rather than formal, head counts to ensure that juveniles have not escaped.

Many training schools and some ranches also use classification and separation as part of their security procedures. Facilities use classification and separation procedures to make even very large facilities seem small. By making the living unit the architectural and organizational focal point, the population is broken down into smaller, more manageable groups. Nearly 6 in 10 juveniles in training schools in 1991 were in facilities that used classification and separation procedures, compared with 3 in 10 juveniles in ranches. Larger facilities were more likely to have established classification procedures than were smaller facilities.

Substandard security staffing ratios were fairly widespread in 1991. Just under one-third of training school residents were in facilities with at least 1 security staff member for every 10.6 juveniles. In comparison, only 16% of ranch residents were in facilities meeting this staffing criterion.

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In a typical month there may be 450 training school escapes

Nationwide, training schools reported 454 successful escapes and 478 unsuccessful escape attempts during a typical month in 1991. This would translate into nearly 5,500 escapes and more than 5,700 unsuccessful attempts per year. Ranches reported 226 escapes and 150 attempts during a 1-month period. Their yearly estimate would be 2,700 escapes and 1,800 unsuccessful attempts.

The rates of attempted escapes and the rate of successful escapes were virtually the same for facilities that met the "three or more counts per day" criterion and for those that did not. These rates were also comparable for facilities with perimeter walls or fences and for facilities without them.

The use of searches varies across facilities

The use of frisk searches is more common than the use of strip searches or room searches. Nationwide, training schools reported an average of 25 frisk searches, 6 room searches, and 1 strip search on any given day for every 100 juveniles. Some facilities, however, reported that no searches were conducted. The highest search rates reported by any training schools were 15–30 times the average search rates.

Most training schools permit the use of isolation, at least for short periods of time

Eighty percent of juveniles in training schools were held in facilities that permit isolation. Facilities that did not use any isolation lasting between 1 hour and 1 day held 24% of training school residents. Facilities holding 34% of juveniles allowed isolation for up to 24 hours. Facilities holding 4% of juveniles placed no time limits on isolation.

For every 100 juveniles, training schools reported the equivalent of 1.5 isolation incidents lasting 1 hour or longer each day. Isolations lasting 1–24 hours occurred at a daily rate of 1 per 100 juveniles. The rate of isolations lasting more than 24 hours was 1 every third day per 100 juveniles.

Most ranches do not permit the use of isolation

Seventy-eight percent of juveniles in ranches were held in facilities that permit isolation. All ranches that used isolation had policies that placed time limits on isolation.

Ranches are least likely facilities to use mechanical restraints

Ranches holding just over a third (37%) of ranch residents and training schools holding nearly three-quarters of training school residents reported some use of mechanical restraints during 1990. More juveniles were held in facilities that reported using handcuffs than were held in facilities using other types of restraints such as anklets, security belts, or straight jackets.

In training schools that permit the use of restraints, 36% of training school residents were in facilities that placed no time limits on the use of mechanical restraints. Although the use of restraints was relatively uncommon in ranches, 58% of ranch residents were held in facilities without policies that placed time limits on the use of mechanical restraints.

Training schools and ranches use physical restraint more often than mechanical restraints

Nationwide, training schools reported using mechanical restraints at an average rate that for a 100-bed facility would translate into 47 incidents during the year. In comparison, physical restraint (tackling or holds) was used at an average rate that for a 100-bed facility would be the equivalent of nearly 3 incidents per week. The use of physical restraints varied considerably, however. While 18% of training schools reported no use of physical restraints during the month, 10% had rates above 7 per 100 beds per week. The highest rate reported for physical restraints was 27 per 100 beds per week.

Nationwide, ranches reported using mechanical restraints at an average rate that for a 100-bed facility would translate into 16 incidents during the year. In comparison, physical restraint (tackling or holds) was used at an average rate that for a 100-bed facility would be the equivalent of nearly 95 incidents per year.

Few juveniles in long-term custody were in facilities that met all six basic health service criteria

Most training school residents received basic health services

A majority of facilities provided basic health services, but relatively few met all six basic health service criteria. Nevertheless, just 16% of juveniles in training schools were held in facilities that met each of these six criteria; 6% of juveniles were in facilities that conformed to fewer than four of the criteria.

Percent of training school residents in facilities that met health criteria:

Initial health screening	44%
Health appraisals	82
Health services orientation	95
Sick calls	94
Staff first aid/CPR training	84
Written arrangements for emergency care	89

Most nonconformance with the initial health screening criteria in training schools was because of the timing of screenings

Virtually all juveniles in training schools received health screenings at some point (91%), but 47% of training school residents were in facilities where screenings were performed more than 1 hour after admission.

Most training school residents were in facilities that screened for emergency medical problems (81%) and drug or alcohol use (63%), although such screening may not be within 1 hour of admission.

Few ranch residents are in facilities that meet all basic health service criteria

While a majority of facilities provided some basic health services, few met all six basic health service criteria. Only 4% of juveniles in ranches were held in facilities that met each of these six criteria. Fully 28% of juveniles were in facilities that conformed to fewer than four of the criteria.

Percent of ranch residents in facilities that met health criteria:

Initial health screening	54%
Health appraisals	66
Health services orientation	81
Sick calls	60
Staff first aid/CPR training	90
Written arrangements for emergency care	92

Ranch nonconformance with the initial health screening criteria was often more than a problem of the timing of screenings

One-quarter of ranch residents did not receive health screenings. More than 40% of ranch residents were in facilities that rely on health screenings completed at another facility. Another 20% of ranch residents were in facilities where screenings are performed more than 1 hour after admission. Just 12% of juveniles in ranches were in facilities that conduct their own screenings within 1 hour of admission.

A large proportion of ranch residents were in facilities that screen for emergency medical problems (62%) and drug or alcohol use (49%), although such screening may not be within 1 hour of admission.

Health services—

OJJDP's *Conditions of Confinement* study used the following criteria to assess whether facilities provided juveniles with adequate health screening and continued access to health care throughout their stay:

- Initial health screening within 1 hour of admission.
- Complete health appraisal for juveniles held more than 7 days.
- Information on access to health services provided during orientation.
- Appropriate number of "sick calls" per week allowing juveniles to bring medical problems to the attention of health care staff.
- Written arrangements for emergency health care.
- Staff training in first aid and CPR.

Training schools and ranches take active steps to prevent suicides

Most juveniles in training schools (89%) and ranches (66%) were in facilities with a written suicide prevention plan. For both training schools and ranches, 73% of juveniles were in facilities with suicide prevention training for staff. Relatively few juveniles were in facilities with suicide screening at admission (67% of training school residents and 49% of ranch residents) or where juveniles identified as suicide risks were monitored at least every 4 minutes (50% of training school residents and 62% of ranch residents). Taken together, about 1 in 5 juveniles in training schools or ranches were in facilities that took all of these prevention measures.

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During 1990, there were four resident suicides reported by public and private training schools (one facility reported two suicides) and one suicide reported by a ranch. This number of completed suicides was contrasted with the fact that for every 1,000 juveniles in training schools, 11 juveniles exhibited acts of suicidal behavior (including suicide attempts and gestures, and acts of self-mutilation). The comparable rate for ranches was 6 per 1,000 ranch residents.

Juveniles held in training schools were more likely to injure other juveniles than to injure staff

On a typical day, for every 955 juvenile training school residents, one was injured by another resident. At this rate, about 38 juvenile-on-juvenile injuries would occur over the course of a year in a facility with just over 100 beds. This average masks a wide range of injury rates. There were some facilities that reported no incidents of juveniles injuring other juveniles during the month prior to the survey. On the other hand, some facilities had juvenile-on-juvenile injury rates that for a 100-bed facility would translate into 300 injuries per year.

Similarly, many facilities reported no staff injuries caused by juveniles in the prior month. For a facility with just over 100 residents and the standard staffing ratio of 1 staff to 10.6 juveniles for 3 shifts (about 32 staff), the average rate of juvenile-on-staff injuries translates into 8 injuries to staff a year.

Injuries to juveniles by staff were relatively less common. Thirteen percent of training schools reported at least one incident of staff injuring residents in a 1-month period. A total of 58 juveniles were reportedly injured by training school staff during the month.

Injury rates in ranches were lower than training school rates

The daily rate at which juveniles were injured by other ranch residents was 1 juvenile in 1,650. For a facility with just over 100 beds, this would mean about 22 juvenile-on-juvenile injuries over the course of a year. As with other facility types, there were few staff injured by juveniles. For a facility with just over 100 residents and the standard staffing ratio of 1 staff to 10.6 juveniles for 3 shifts (about 32 staff), the average rate of juvenile-on-staff injuries would mean about 4 injuries to staff a year.

Injuries to juveniles by staff were relatively less common. Only 2% of ranches reported any incidents of staff injuring residents in a 1-month period. A total of four juveniles were reported injured by ranch staff during the month.

Juveniles in long-term facilities maintain contact with the community, but it is limited in several ways

One way juveniles maintain contact with the community is through visitation. All facilities allow parental visits. Nearly all juveniles were in facilities that permit visits by attorneys (just over 90% of both training school and ranch residents). A greater percent of juveniles in training schools than in ranches were in facilities with volunteer programs that allow members of the community to visit with residents on a regular basis (79% versus 65%).

Juveniles can also maintain contact with the community through phone calls, both incoming and outgoing. Although facilities typically place limits on the number of calls juveniles can make and the times calls can be made, most juveniles were allowed at least one call a week (64% of training school residents and 71% of ranch residents). A little more than half of the juveniles in training schools and slightly less than three-quarters of those in ranches were in facilities that allowed them to make and receive phone calls; only 1% of training school residents and 7% of ranch residents were in facilities that prohibit both incoming and outgoing calls. Although most juveniles were in facilities that rarely or never monitor juveniles' phone calls, juveniles typically lacked privacy during their calls.

Sending and receiving mail is another means for juveniles in custody to maintain contact with the community. Permitting residents to send and receive mail is a commonly accepted practice. Facility mail policies usually address the circumstances under which mail can be opened, read, or censored. Two-thirds of juveniles in training schools and half of those in ranches were held in facilities that allow mail to be opened by staff only if there is a suspicion of contraband or some other threat to facility security. Fewer than 10% of juveniles were in training schools or ranches that have policies not to open mail. Opening all mail is more common than not opening any mail — 18% of training school residents and 12% of ranch residents were in facilities where the policy is to open all mail.

How do the backgrounds of youth in State training schools compare with those of other youth and State prison inmates?

Over half of juveniles in State training schools had relatives who had been incarcerated

	Percent with relatives who had been incarcerated in a jail or prison	
	Youth under 18 in State training schools	Adult State prison inmates
At least one relative	53%	37%
Father	26	6
Mother	9	2
Brother/sister	24	35
Other	14	1

Sources: BJS. (1989). *Correctional populations in the United States, 1987.* Beck, A., et al. (1993). *Survey of State prison inmates, 1991.*

In the 1987 BJS study of youth in State training schools, among those under age 18 there were some race and ethnicity differences in the incarceration of relatives. While 57% of white youth reported having a family member incarcerated, 49% of black youth said they had a family member who had been incarcerated. Among white youth, fathers were the most likely relative to be incarcerated; among blacks, brothers and sisters were the relatives most likely to be incarcerated. Hispanic youth were more likely than non-Hispanics to report having a brother or sister incarcerated.

Hispanics were more likely than others in State training schools to have friends involved in crime

Overall, 31% of juveniles in State training schools reported having friends involved in crime. Among Hispanics, 39% said their friends were involved in crime, compared with 29% among non-Hispanics. Differences among other groups were small. Nearly the same proportion of females and males said their friends were involved in crime. Whites were slightly more likely than blacks to say their friends were involved in crime.

Few juveniles in State training schools grew up in families with both parents present

Among youth held in long-term, State-operated juvenile facilities, half of those under age 18 reported living with only their mothers most of the time they were growing up. A similar study of adult State prison inmates found that 39% grew up with only their mothers. In comparison, 20% of the children under age 18 in the U.S. were living with only their mother.

Further, 16% of the juveniles held in State-operated training schools and 14% of prison inmates reported living with neither parent, compared with 3% of children under age 18 in the general population. While 73% of children under age 18 in the U.S. were living with both parents, 28% of juveniles in State training schools and 42% of prison inmates reported living with both parents.

State training school youth had less education than other youth

About 42% of juveniles between 15 and 17 years of age in State training schools had attended high school. In comparison, 76% of the general population in this age group had attended high school.

	Percent of State training school youth	
Education	11–14	15–17
6th grade or less	46%	10%
7th or 8th grade	52	49
Some high school	3	41
High school graduate	0	1
Median education	7 yrs	8 yrs

Source: Beck, A., et al. (1988). Survey of youth in custody, 1987. *BJS Special Report.*

Blacks in State training schools were less likely to have grown up with both parents and more likely to have grown up with neither parent than were white or Hispanic youth

	Percent of youth under age 18					
	State training schools			General population		
	White	Black	Hispanic	White	Black	Hispanic
Living with —						
Both parents	33%	22%	29%	79%	39%	66%
Mother only	48	54	51	16	51	27
Father only	8	4	4	3	3	3
Neither parent	11	21	15	3	7	4

Note: Youth of Hispanic ethnicity may be of any race.

Sources: BJS. (1989). *Correctional populations in the United States, 1987.* Rawlings, S. (1989). Single parents and their children. *Current Population Reports: Special Studies.*

What are the characteristics of youth admitted to State juvenile correctional custody?

Variations in *Juveniles Taken Into Custody* data on juveniles admitted to State juvenile corrections systems stem from many factors

The *Juveniles Taken Into Custody* program collects individual-level data on State juvenile corrections system admissions and releases. Data are reported by a nonprobability sample of State departments of juvenile corrections. While many more juveniles are admitted to locally and privately operated facilities each year, those admitted to State custody are perhaps the most troubled and troubling youth in the juvenile justice system.

Differences in the use of State custody reflect not only variations in the juvenile and offender populations, but also State juvenile justice system variations. Factors that influence the *Juveniles Taken Into Custody* data include the upper age of juvenile jurisdiction, the balance of State versus local and private juvenile custody options and uses, and the likelihood of juveniles being tried as adults in criminal court.

For most States, the average age of juveniles admitted to State correctional custody in 1992 was 16 — 17% were 14 or younger

	Percent of admissions to State juvenile correctional systems by juvenile's age at admission					
	Under 14	14	15	16	17	18 & older
All reporting States	**5%**	**12%**	**23%**	**30%**	**22%**	**8%**
California	1	3	10	19	32	36
Delaware	5	9	15	29	36	7
Georgia	5	12	27	41	14	0
Illinois	3	12	27	43	13	2
Indiana	3	13	23	33	27	<1
Iowa	3	8	22	31	36	0
Kentucky	4	11	25	31	26	3
Louisiana	5	12	22	33	22	6
Maryland	5	12	23	28	24	8
Massachusetts	1	13	25	44	17	<1
Minnesota	0	15	19	27	39	10
Mississippi	10	17	27	25	20	1
Missouri	6	17	35	38	4	0
Nebraska	10	18	26	27	17	2
New Hampshire	6	7	18	30	40	1
New Jersey	2	8	16	22	32	20
New York	11	21	38	24	6	<1
North Dakota	5	11	29	26	23	5
Ohio	4	10	21	28	32	5
Oklahoma	4	15	31	27	22	1
Oregon	5	9	19	27	35	5
South Carolina	14	20	30	32	4	0
Tennessee	4	18	16	29	34	10
Texas	5	16	30	40	9	1
Utah	5	11	22	24	33	5
Virginia	7	13	21	29	28	2
Wisconsin	6	12	23	31	27	2

Note: Detail may not total 100% because of rounding and 8 admissions for which age was unknown. Generally juveniles age 18 or older at admission are held under extended jurisdiction provisions. Alaska and Vermont had too few admissions to obtain reliable percentages.

Source: Austin, J., et al. (1994). *Juveniles taken into custody research program: Fiscal year 1993 annual report.*

Most admissions to State juvenile correctional custody are new commitments

Of juveniles admitted to State juvenile correctional systems in 1992 for whom the type of admission was known, 7 in 10 were new commitments — with no previous admissions to State custody for the current offense. Among new commitments where the juvenile's probation status was known, about half had been under probation supervision prior to their commitment.

Admissions of juveniles previously released from State custody made up about one-quarter of admissions. Of these, most were parole violators whose parole was revoked either because of a new offense or a technical violation. Others were recommitted after being previously discharged or released to conditional supervision other than parole or aftercare or were returned from some other non-State supervision.

Few admissions involved the return of an escaped juvenile who had been removed from the facility roster (less than 1% overall). The remaining 4% of admissions were types other than those described above.

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Few juveniles "age out" of State custody — most are released under continuing supervision

Most youth in State juvenile correctional custody are released to parole or aftercare

Of those youth released from State juvenile correctional custody in 1992 with a known type of release, 69% were released to parole or aftercare and remained under State jurisdiction. An additional 8% received some other type of conditional release, often involving court or local probation agency supervision. Outright discharge was less common; 15% were discharged with no further supervision. An additional 1% received other unconditional releases. Fewer than 1% of releases involved certification as an adult or transfer to adult jurisdiction. Only 2% were released because they reached adult age ("aged out"). The remaining 5% involved situations such as transfers to other jurisdictions, escapes, and deaths.

Most reporting States reflected the overall pattern — release to parole or aftercare was the most common release type. There was, however, some variation among States. The proportion of releases to parole or aftercare ranged from 100% to less than 20%. In 5 of the 34 reporting States, the most common type of release was discharge without further supervision.

There were large State variations in the average lengths of stay in State juvenile correctional system custody

Average length of stay in State juvenile custody for juveniles released in 1992

Reporting States	Average days in custody
Alaska	445
California	523
Delaware	160
Georgia	279
Illinois	308
Indiana	167
Iowa	138
Kentucky	229
Louisiana	359
Maryland	156
Massachusetts	92
Mississippi	95
Missouri	201
Nebraska	92
New Hampshire	180
New York	310
North Dakota	113
Ohio	231
Oregon	254
South Carolina	86
Tennessee	140
Texas	189
Utah	126
Virginia	218
Wisconsin	233

Note: New Jersey was unable to provide accurate length of stay data. Vermont had too few releases to obtain a reliable percentage. Oklahoma did not report a full year's data. Minnesota did not report admission dates.

Source: Austin, J., et al. (1994). *Juveniles taken into custody research program: Fiscal year 1993 annual report.*

Average lengths of stay vary by offender characteristics

In the 29 States reporting length of stay information, person offenders, males, and minorities had a longer average length of stay than other offenders:

- Person offenders — 353 days.
- Drug offenders — 248 days.
- Property offenders — 217 days.
- Weapons offenders — 187 days.
- Public order offenders — 150 days.
- Status offenders — 133 days.
- Males — 250 days.
- Females — 201 days.
- Hispanics — 333 days.
- "Other" races — 256 days.
- Blacks — 252 days.
- Whites — 204 days.

States varied in proportion of juveniles who escaped

In the 15 States reporting information on escapes, 95% of the youth released from State juvenile correctional custody in 1992 had never escaped. While two States reported no escapes, one State reported an 18% escape rate. About half of escapees were on escape status for a month or more (48%), 42% were returned within 2 weeks, and 10% were returned in 2–4 weeks.

State policies have an impact on average lengths of stay

Some of the variation in lengths of stay can be attributed to differences in States' juvenile correctional policies. For example, the average length of stay in South Carolina was shorter than in other States. South Carolina holds large numbers of juveniles in reception and diagnostic centers for short periods of evaluation (20–40 days) and then discharges or releases them to probation. In fact, 69% of releases in South Carolina were releases from reception and diagnostic centers.

Average lengths of stay were also relatively shorter in Massachusetts and Utah because these States transfer substantial numbers of juveniles to privately operated facilities during their time under State correctional jurisdiction, and such periods of private custody were not included in the lengths of stay calculations.

California's relatively long average length of stay reflects the fact that county-operated facilities generally gain custody of less serious offenders, while the State receives custody of more serious offenders — and can hold them longer than most other States — until age 25.

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Most youth under age 18 newly admitted to State prison are 17-year-old "adults" in States with lower upper ages of jurisdiction

Youth under age 18 account for 2% of new court commitments to adult prisons

Thirty-five States and the Federal Bureau of Prisons contributed 1991 data to the National Corrections Reporting Program (NCRP). Participating States reported fewer than 4,500 new court commitments to their adult prison systems involving youth under age 18 in 1991. These youth made up nearly 2% of new court commitments to these State prison systems. Three-quarters of these youth were 17 years old at admission.

Half of youth newly admitted to adult prisons committed a person offense

Compared with the offense distribution for all new court commitments, those involving youth under age 18 had a greater proportion of person offenses and a smaller proportion of drug and public order offenses.

New court commitments to State prison:

Most serious offense	Under 18 at admission	All ages at admission
All offenses	100%	100%
Person	50	29
Murder	7	3
Rape	2	2
Sexual assault	1	3
Robbery	22	10
Assault	13	8
Property	31	31
Burglary	17	14
Larceny-theft	6	8
Motor vehicle theft	5	2
Arson	<1	1
Fraud	<1	4
Stolen property	2	2
Drugs	15	30
Possession	5	7
Trafficking	8	18
Public order	4	9
Weapons	2	2

Note: General offense categories include offenses not detailed.

Source: Perkins, C. (1994). *National corrections reporting program, 1991.*

The under-18 proportion of new admissions varied by offense

Youth under age 18 accounted for 3% of new court commitments for person offenses. They were 4% of new court commitments for murder, 4% of those for robbery, and 3% of those for assault. For all other offenses, the youthful proportion was 2% or less.

Offense distributions varied by race and ethnicity

Nearly three-quarters of the under-18 admissions to State prisons involved black youth. Hispanics were just over 10% of the total.

Hispanic youth newly admitted to State prisons had the greatest proportion of person offenses (primarily robberies). Among white youth more than half of new commitments were for property offenses; among black youth more than half were for person offenses. Black youth had the highest proportion of commitments for drug offenses (primarily trafficking).

New court commitments to State prison:

Most serious offense	Race		Ethnicity
	White	Black	Hispanic
Youth under 18	100%	100%	100%
Person	36	54	66
Murder	6	7	12
Robbery	10	25	33
Assault	12	15	14
Property	57	23	14
Burglary	33	11	8
Larceny-theft	11	5	1
M.V. theft	7	4	2
Stolen property	2	2	3
Drugs	3	19	15
Possession	1	6	4
Trafficking	2	10	8
Public order	4	4	4
Weapons	1	3	3

Note: General offense categories include offenses not detailed.

Source: Perkins, C. (1994). *National corrections reporting program, 1991.*

States where the upper age of juvenile jurisdiction is 17 tend to send fewer youth to adult prisons than other States — Florida is the exception

In 1990 the 29 States that reported to NCRP contained 83% of the U.S. population ages 10–17. Florida accounted for 5% of youth in the sample, but accounted for nearly one-quarter of all the youth who were admitted to adult prisons in these 29 States.

Youth under age 18 admitted to State adult correctional systems in 1990:

State	Number of youth admitted
All reporting States	5,159
Upper age 15	
North Carolina	760
New York	558
Upper age 16	
Texas	572
Michigan	288
Illinois	251
South Carolina	227
Georgia	181
Missouri	134
Upper age 17	
Florida	1,212
California	161
Youth Authority only	133
Maryland	114
Oklahoma	105
Arkansas	96
Virginia	91
Alabama	58
Ohio	53
New Jersey	46
Pennsylvania	44
Nebraska	38
Wisconsin	36
Mississippi	24
Tennessee	19
Colorado	19
Minnesota	18
Washington	17
Iowa	16
Nevada	12
Oregon	7
Utah	2

Source: Austin, J., et al. (1994). *Juveniles taken into custody research program: Fiscal year 1993 annual report.*

Imposition of the death penalty for juvenile crimes is rare

Supreme Court decisions set the minimum age for receiving the death penalty at 16

The Supreme Court, in *Eddings* v. *Oklahoma* (1982), held that just as the background and mental and emotional development of a youthful defendant should be considered in sentencing, so should a defendant's young age be considered a mitigating factor of great weight in deciding whether to apply the death penalty. The Court noted that adolescents are less mature, responsible, and self-disciplined than adults and are less able to consider the long-range implications of their actions.

In *Thompson* v. *Oklahoma* (1988), the issue before the Supreme Court was whether imposing the death penalty on a juvenile murderer, who was only 15 years old at the time of the offense, violated constitutional protection against cruel and unusual punishment. In an opinion by Justice Stevens, four justices concluded that the Eighth Amendment prohibited application of the death penalty to a person who was younger than 16 at the time of the crime. Justice O'Connor concurred with the opinion, but on the narrower grounds that no minimum age was specified in the State's capital punishment provisions. A year later the Court decided in *Stanford* v. *Kentucky* that the Eighth Amendment does not prohibit the death penalty for crimes committed at ages 16 or 17.

What is the minimum age authorized for the death penalty?

Younger than 18	Age 18	None specified
South Dakota (10)[a]	California	Arizona
Arkansas (14)[b]	Colorado	Delaware
Utah (14)	Connecticut[e]	Florida
Virginia (15)	Illinois	Idaho
Alabama (16)	Maryland	Montana
Indiana (16)	Nebraska	Pennsylvania
Kentucky (16)	New Jersey	South Carolina
Louisiana (16)	New Mexico	Washington
Mississippi (16)[c]	Ohio	
Missouri (16)	Oregon	
Nevada (16)	Tennessee	
Oklahoma (16)	Federal system	
Wyoming (16)		
Georgia (17)		
New Hampshire (17)		
North Carolina (17)[d]		
Texas (17)		

a Only after a transfer hearing to try a juvenile as an adult.
b See Arkansas Code Ann. 9-27-318(b)(1) (Repl. 1991).
c Minimum age defined by statute is 13, but effective age is 16 based on an interpretation of U.S. Supreme Court decisions by the State attorney general's office.
d Age required is 17 unless the murderer was incarcerated for murder when a subsequent murder occurred; the age then may be 14.
e See Conn. Gen. Stat. 53a-46a(g)(1).

Note: Ages at the time of the capital offense were indicated by the offices of the State attorneys general.

Source: Greenfeld, L., and Stephan, J. (1993). Capital punishment 1992. *BJS Bulletin.*

Youth under age 18 account for a small proportion of those receiving the death penalty

Between 1973 and 1993, 121 death sentences were handed down to youth who were under age 18 at the time of their crime, accounting for about 2% of the total number of death sentences imposed since 1973. In the years prior to 1987, as many as 7% of death sentences involved youth younger than 18 at the time of their crime. The proportion dropped from 1987 through 1989 presumably because of cases pending before the Supreme Court.

Most juvenile death sentences are eventually reversed

As with most death sentences, a large proportion of the death sentences imposed for crimes committed at age 17 or younger are reversed. Since 1973, 66% of these "juvenile" death sentences have been reversed, 7% have resulted in executions, and 27% are still in force.

Recent executions involved 17-year-old "adults" in States where the upper age of juvenile court jurisdiction is 16

Executions of under-18 offenders: January 1, 1973 – December 31, 1993

Name	State	Age at crime	Race	Age at execution
Charles Rumbaugh	TX	17	white	28
J. Terry Roach	SC	17	white	25
Jay Pinkerton	TX	17	white	24
Dalton Prejean	LA	17	black	30
Johnny Garrett	TX	17	white	28
Curtis Harris	TX	17	black	31
Frederick Lashley	MO	17	black	29
Ruben Cantu	TX	17	Hispanic	26
Chris Burger	GA	17	white	33

Source: Streib, V. (1994). Present death row inmates under juvenile death sentences and death sentences and executions for juvenile crimes, January 1, 1973, to December 31, 1993. *The juvenile death penalty today.*

Most inmates on death row for "juvenile" crimes were 17 when they committed their offense

Of the 33 inmates on death row at the end of 1993 for offenses committed at age 17 or younger:

- 26 were 17 at the time of their offense.
- 6 were 16.
- 1 was 15.

About a third of the 33 inmates (17 of 33) were not "juveniles" at the time of their offense — they were older than their State's upper age of juvenile court jurisdiction. The majority of these were 17-year-olds from Texas where the upper age is 16 (10 of 17).

The youngest of those on death row for "juvenile" crimes was 18 years old; the oldest was 35. The average age of those on death row for "juvenile" crimes was 24. As of the end of 1993, an average of nearly 6 years had passed since their initial "juvenile" death sentence.

Nearly all victims were adults and a majority were white

Most of the victims of the 34 inmates on death row for "juvenile" crimes were adults (39 of 44). Most of the victims were white (32 of 44). A white offender killing a white victim(s) was the most common offender-victim scenario.

	Victim	
Offender	Minority	Nonminority
Minority	13	12
Nonminority	2	15

Note: Minority includes blacks and Hispanics. Nonminority includes whites not of Hispanic ethnicity.

Source: Streib, V. (1994). Present death row inmates under juvenile death sentences and death sentences and executions for juvenile crimes, January 1, 1973, to December 31, 1993. *The juvenile death penalty today.*

What types of murder are commonly cited in State death penalty statutes?

Type of murder for which death penalty is authorized	Number of States
Murder during another crime	
Sexual offenses (rape)	28
Kidnapping	30
Robbery	24
Burglary	21
Arson	20
Murder by a person with a criminal justice status or criminal history	
Defendant was in custody	27
Defendant was previously convicted of murder	29
Murder of a certain type of victim	
Law enforcement officer	34
Corrections employee	23
Firefighter	18
Murder carried out in a particular way	
Murder was especially heinous, atrocious, cruel, vile, etc.	23
Defendant created a grave risk of death to others	23
Murder carried out for a particular purpose	
For pecuniary gain (contract murder)	34
To effect an escape	21
To avoid or prevent arrest	21
Other	
Multiple murders	15
Hiring another to kill	24

Source: Szymanski, L. (1992). *Death penalty statutes — statutes analysis.*

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Index

Abduction, 31–32, see also Missing children
Abuse, see Child maltreatment
Access to juvenile court records, 83
Administration of juvenile services, 90
Adoption, 41
Adult court, see Transfer to criminal court
Adult facilities, juveniles in
  jails, 150
  prisons, 178, 179–180
Aftercare, 75, 79, 177
Age
  abducted children, 32
  arrestees, 100
  arrest rates, Violent Crime Index offenses, 112–113
  average age of arrestees, 109
  child maltreatment, 34, 38
  death row inmates, 180
  delinquency, juvenile court cases
    adjudicated, 133
    detained, 142
    handled informally, 131
    judicially waived, 154
    placed on probation or out of home, 133, 135
    rates, 127, 130
  drug use, 59–60
  extended age of juvenile court jurisdiction, 73
  gun deaths, 26, 108
  homicide victimization, 24, 26, 108
  juvenile population projections, 2
  juveniles in long-term custody, 167, 176
  likelihood of being victimized by a family member, 29
  minimum age, at least one transfer provision, 88
  minimum age, concurrent jurisdiction, 87
  minimum age, death penalty, 179
  minimum age, judicial waiver, 86
  minimum age, statutory exclusion, 89
  offending, 49–51
    homicide, 56–57
    time of day, 48
  poverty rates, 7
  recidivism, 158–159
  risk of low birth weight babies, 13
  runaways, 31
  school dropout rates, 14
  status offense, juvenile court cases, 138
  substitute care, 41
  suicide rates, 27
  teen birth rates, 12
  throwaways, 32
  unwed mothers, 12
  upper age of juvenile court jurisdiction, 73
Age, continued
  victimization rates, 20
    by race/ethnicity, 22
    homicide, 24–26
  victimization, time of day, 30
  victims, 21, 28
    juvenile offenders, 47
Aggravated assault
  age-specific arrest rates, 112
  juvenile arrests, 100
    juvenile vs. adult trends, 109, 110
    projection for the year 2010, 111
    State rates, 102
    trends, 107, 109
  juvenile proportion, arrests and clearances, 101
    trends, 107
Alabama, see County maps, State detail
Alaska, see County maps, State detail
Alcohol use, see Drugs
Alcohol- and drug-related traffic crashes, 62
Arizona, see County maps, State detail
Arkansas, see County maps, State detail
Arrest rates, 102–103, 104–108, 112–113, 114–115, 116–120, see also specific offenses
  technical note, 122
Arrestees, average age, 109
Arrests, see also specific offenses
  age-specific rates, 112–113
  female trends
    property, 117
    violent, 105
  juvenile, 100
    as a proportion of the juvenile population, 51
    projection for the year 2010, 111
    State rates, 102
  proportion ages 16–17, 100
  proportion female, 100
  proportion juvenile, 101, 105–107, 117–119
  proportion violent, 51
  race proportions, 100
  race trends
    property, 116, 118–119
    violent, 104, 106–107
    weapons, 108
  trends
    juvenile vs. adult, 109, 110
    juvenile vs. adult rates, 112–113
    property, 116–119
    violent, 104–107, 116
    weapons, 108
  Uniform Crime Reporting Program, 98–99
Arson
  juvenile arrests, 100
    juvenile vs. adult trends, 109
    State rates, 114
    trends, 109, 119
  juvenile proportion, arrests and clearances, 101
    trends, 119
Bind over, see Transfer to criminal court
Blacks, see Race/ethnicity
Boys, see Sex
Breed v. Jones, 81, 82
Burglary
  juvenile arrests, 100
    juvenile vs. adult trends, 109
    State rates, 114
    trends, 109, 118
  juvenile proportion, arrests and clearances, 101
    trends, 118
California, see County maps, State detail
Capital punishment, 179–180
Case flow in juvenile court, 76–79, 134, 137, 140
Caseloads
  child protective services, 33–41
  juvenile court, 126–141, 154
Case processing
  in child protective service agencies, 35–36
  in juvenile court, 76–79
  time limits, 84
Census of Juvenile Detention, Correctional, and Shelter Facilities, 143, 145, 164, 168
Certification, see Transfer to criminal court
Child abuse, see Child maltreatment
Child maltreatment, see also Victimization, Victims, specific offenses
  by type, 33, 38
  case processing, 35–36
  children removed from home, 38, 40–41
  deaths, 39
  definitions, 33
  difficulty estimating, 33, 39
  false allegations, 37
  family income, 34
  identifying/reporting agencies, 34, 35, 37
  injury/harm caused, 33–34
  investigations, 35, 37
  juvenile court involvement, 36
  National Child Abuse and Neglect Data System, 37
  National Study of the Incidence and Prevalence of Child Abuse and Neglect, 33
  number of children subject of reports, 37–38
    by State, 38

Child maltreatment, continued
perpetrators, 39
proportion of prison inmates reporting child abuse victimization history, 42
rates by State, 38
relationship to subsequent offending, 42
removal from home, 38–39, 40–41
reports to child protective service agencies, 34, 35–36, 37–39
standard of proof required to substantiate, 39
substantiated cases, 37, 38–39
trends, 34, 37
victim characteristics, 34, 38
Child protective service agencies, 35–36, see also Child maltreatment
child maltreatment reports to, 34, 37–39
Child welfare agencies, see Child maltreatment
Children in Custody census, 143, 145, 164, 168
Children in need of supervision, see Status offense, Status offenders
Chronic offenders, 49–50
Clearances, juvenile proportion of, 48, 99, 101
trends, 105–107, 117–119
Cocaine/crack use, see Drugs
Colorado, see County maps, State detail
Commitment, see Juvenile facilities
Concurrent jurisdiction, see also Transfer to criminal court
statutory provisions, 87
use in Florida, 158
Conditions of Confinement study, 146, 149–153, 169–174
Confidentiality of juvenile court records, 83
Connecticut, see County maps, State detail
Correctional facilities, see also Detention centers, Adult facilities
admissions, 164, 176, 178
average length of stay, 164, 177
characteristics of State training school population vs. general juvenile population and State prison inmates, 175
crowding, 170
custody rates by State, 166, 168
deaths, 169, 179–180
escapes, 172, 177
facility characteristics, 165, 169–174
health services, 173
injuries, 174
isolation, 172
one-day count, 165
policies on community contact, 174
Correctional facilities, continued
population
by offense, 165
by race, 166–167
by State, 166, 168
death row, 179–180
prisons, 178
privately operated facilities, 166
problems, 169
publicly operated facilities, 165–168, 175, 176–177, 178, 179–180
trends, 167
releases, 164, 177
restraints, 172
security measures, 171–172
standing population, 165
suicides, 169, 173
County maps, see also State detail
Hispanic proportion of juvenile population, 6
poverty, percent of juveniles in, 8
Property Crime Index, juvenile arrest rates, 115
race proportions of juvenile population, 4–5
single-parent families, percent of children in, 11
Violent Crime Index, juvenile arrest rates, 103
Court, see Juvenile court listings
Court delay, see Juvenile court case processing
Courts with juvenile jurisdiction, 79
Crack cocaine use, see Drugs
Crime Index
definition, 98
juvenile arrests, 100
juvenile vs. adult trends, 109
proportion juvenile, 101
Crime, juvenile proportion of, 47, 48, 99, 101, 105–108, 110, 117–119
Crimes, committed under the influence of drugs, 64
Crimes cleared by arrest, see Clearances
Criminal court, see Transfer to criminal court
Criminal justice system vs. juvenile justice system, 74–75
Crowding
correctional facilities, 170
detention centers, 149
long-term facilities, 170
Custody, see Correctional facilities, Detention centers, Adult facilities
Death penalty, 179–180
Deinstitutionalization of status offenders, 72, 79, 147
Delaware, see County maps, State detail
Delay, see Juvenile court case processing
Delinquency arrests, see Arrests, specific offenses
Delinquency, juvenile court case rates by offender characteristics, 127–130
Delinquency, juvenile court cases
adjudicated, 133
by age, 127, 130
by race, 128–129
by sex, 127
case outcomes of those transferred to criminal court, 157–159
detained
by offender characteristics, 142
by offense, 141
flow through juvenile court, 134, 137
formally processed, 132
judicially waived to criminal court, 154
case outcome studies, 157–159
Juvenile Court Statistics series, 124
number handled, 126
percent handled informally, 131
petitioned cases, 132
placed on formal probation, 133, 135
placed out of home, 133
recidivism, 49–51, 158–160
rural vs. urban processing, 136–137
source of referral to court, 125
trends, 126
by race and offense, 129
Delinquency, relationship to substance abuse, 63, 64–65
Dependency, see Child maltreatment
Deprived children, see Child maltreatment
Detention, 78, see also Detention centers
of status offenders, 143, 147
of delinquents, 141–142, 143
Detention centers, see also Correctional facilities, Adult facilities
admissions, 143
average length of stay, 143
crowding, 149
custody rates by State, 145
deaths, 146
escapes, 151
facility characteristics, 146, 149–153
health services, 152
injuries, 152
isolation, 151
one-day count, 143, 145
policies on community contact, 153
population
by offense, 143
by race, 144
by State, 143
privately operated facilities, 144
problems, 146
publicly operated facilities, 143–145, 147
trends, 144

Detention centers, continued
releases, 143
restraints, 151
security measures, 150–151
standing population, 143
suicides, 146, 152
Direct file, see Transfer to criminal court
Disposition
of delinquency cases in juvenile court, 133–135, 137, 154
of juvenile arrests, 121
of status offense cases in juvenile court, 139–141
Disproportionate minority confinement, 91–93
District of Columbia, see County maps, State detail
Diversion, 74–77, 131, see also Law enforcement, disposition of juvenile arrests
Domestic violence, relationship to juvenile offending, 42, see also Child maltreatment
Drinking, see Drugs, Status offense, Status offenders
Drug Use Forecasting Program, 64
Drugs
juvenile arrests, 100
juvenile vs. adult trends, 109
trends, 109, 120
juvenile proportion of arrests, 101, 120
prevalence, 59–61
trends, 61
relationship to offending, 63, 64–65
relationship to school attendance, 65
types of drugs used, 59–61, 65
Drunk driving, 62
Eddings v. Oklahoma, 81, 179
Education trends, 14–16
Educational neglect, see Child maltreatment
Emotional abuse/neglect, see Child maltreatment
Extended age of juvenile court jurisdiction, 73
Family abduction, 31–32, see also Missing children
Family court, see Juvenile court
Family living arrangements
and poverty, 10
by county, 11
by demographic characteristics, 10–11
by State, 11
trends, 10
Family violence, relationship to juvenile offending, 42, see also Child maltreatment
Federal (OJJDP) mandates, 72, 91, 147–150
Females, see Sex
Firearms, see Weapons
Florida, see County maps, State detail
Forcible rape
age-specific arrest rates, 112
juvenile arrests, 100
juvenile vs. adult trends, 109, 110
projection for the year 2010, 111
State rates, 102
trends, 106, 109
juvenile proportion, arrests and clearances, 101
trends, 106
Formal cases in juvenile court
delinquency cases, 132–135, 137, 154
status offense cases, 138–140
Foster care, see Substitute care
Gangs, 54–55
Gault case, 80, 81
Gender, see Sex
Georgia, see County maps, State detail
Girls, see Sex
Guns, see Weapons
Handguns, see Weapons
Hawaii, see County maps, State detail
Heroin use, see Drugs
High School Seniors Survey, see Monitoring the Future Study
Hispanic, see Race/ethnicity
Homeless youth, 32, see also Missing children
Homicide, see Murder
Idaho, see County maps, State detail
Illinois, see County maps, State detail
Incarceration, see Correctional facilities, Detention, Detention centers, Adult facilities
Incorrigible, see Status offense, Status offenders
Indiana, see County maps, State detail
Informal delinquency cases in juvenile court, 131
In re Gault, 80, 81
In re Winship, 81
Institutions, see Adult facilities, Juvenile facilities
Intoxication, see Drugs, Drunk driving
Iowa, see County maps, State detail
Jails, jail removal, 150
Judicial waiver, see also Transfer to criminal court
number of cases, trends, 154
statutory provisions, 85–86
Juvenile, definitions by State, 73
Juvenile court careers of offenders, 49–51, 160–158
Juvenile court caseloads, 126–141, 154, see also Delinquency, Status offense
Juvenile court case processing, 77–79, see also Delinquency, Status offense
time limits, 84
Juvenile court records, confidentiality, access, 83
Juvenile Court Statistics series, 124
Juvenile court vs. criminal court, 134, 157–159
Juvenile facilities, see also Detention centers, Correctional facilities, Adult facilities
detention centers, 143–146, 151–155
long-term correctional facilities, 164–177
private facilities, 143, 144, 164, 165, 166, 169
Juvenile Justice and Delinquency Prevention Act, 71–72, 91, 147–150
Juvenile justice system
decision points, 76–79
goals in State juvenile codes, 71
history, 70–72
State ages of juvenile jurisdiction, 73
vs. criminal justice system, 74–75
Juvenile population characteristics, 2–16
Juvenile services, organization, administration, 90
Juvenile vs. adult arrest rate trends, 112–113
Juvenile vs. adult arrest trends, 109, 110
Juveniles Taken into Custody Research Program, 176–177
Kansas, see County maps, State detail
Kentucky, see County maps, State detail
Kent v. United States, 80, 81
Kidnaping, see Abduction
Larceny-theft
juvenile arrests, 100
juvenile vs. adult trends, 109
State rates, 114
trends, 109, 118
juvenile proportion, arrests and clearances, 101
trends, 118
Law enforcement
as entry point of juvenile justice system, 76–77
disposition of juvenile arrests, 121
lockups, juveniles admitted, 121
special units, 121
referrals to juvenile court, 76–77, 125
Lockups, juveniles admitted, 121
Louisiana, see County maps, State detail
Maine, see County maps, State detail
Males, see Sex
Maltreatment, see Child maltreatment
Marijuana use, see Drugs
Maryland, see County maps, State detail
Massachusetts, see County maps, State detail
McKeiver v. Pennsylvania, 81
Men, see Sex
Michigan, see County maps, State detail
Minimum age, see Age
Minnesota, see County maps, State detail
Minority overrepresentation, 49, 91–93, 144, 166–167

Missing children
characteristics of, 31–32
definitions, 31
harm to, 32
incidence
time away from home, 31–32
types of, 31
Mississippi, see County maps, State detail
Missouri see County maps, State detail
Monitoring the Future Study, 59–61
Montana, see County maps, State detail
Motor vehicle theft
juvenile arrests, 100
juvenile vs. adult trends, 109
State rates, 114
trends, 109, 119
juvenile proportion, arrests and clearances, 101
trends, 119
Murder
age-specific arrest rates, 113
and guns, 56, 58
juvenile arrests, 100
county rates, 103
juvenile vs. adult trends, 109, 110
projection for the year 2010, 111
State rates, 102
trends, 106, 109
juvenile offenders
characteristics, 56–57
victim characteristics, 57–58
juvenile proportion, arrests and clearances, 101
trends, 106
juvenile victims, 24–26, 39
offending rates, 56–57
victim-offender relationship, 25–26, 57–58
victimization rates, 24–25
National Child Abuse and Neglect Data System, 37
National Corrections Reporting Program, 178
National Crime Victimization Survey, 21, 23, 46–47
National Incidence Study of Missing, Abducted, Runaway, and Thrownaway Children, 31–32
National Incident-Based Reporting System, 28
National Study of the Incidence and Prevalence of Child Abuse and Neglect, 33
National Youth Survey, 49–50
Nebraska, see County maps, State detail
Neglect, see Child maltreatment
Nevada, see County maps, State detail
New Hampshire, see County maps, State detail
New Jersey, see County maps, State detail
New Mexico, see County maps, State detail
New York, see County maps, State detail
Nonpetitioned delinquency cases in juvenile court, 131
North Carolina, see County maps, State detail
North Dakota, see County maps, State detail
Offenders
relationship to victims, 39, 57–58
under the influence of drugs, 64
Offending
by age of offender, 47
by race of offender, 47, 49
careers, 49–51, 160–158
chronic, 50
juvenile vs. adult, 47, 48
multiple offenders, 47, 58
patterns of, 49–51
percent of juvenile population, 48, 51
proportion violent, 51
recidivism, 49–51, 158–160
relationship of juvenile offending to adult offending, 50–51, 160
relationship to substance abuse, 63, 64–65
self-report studies vs. official statistics, 46, 49
specialization, 49
time of day, 48
Offense exclusion, see Transfer to criminal court
Office of Juvenile Justice and Delinquency Prevention mandates, 72, 91, 147–150
Ohio, see County maps, State detail
Oklahoma, see County maps, State detail
Oregon, see County maps, State detail
Organization of juvenile services, 90
Out of home placement as juvenile court disposition
child maltreatment cases, 38–39
delinquency cases, 133–137
status offense cases, 139–140
Overcrowding, see Crowding
Pennsylvania, see County maps, State detail
Persons in need of supervision, see Status offense, Status offenders
Petitioned cases in juvenile court
delinquency cases, 132–135, 137, 154
status offense cases, 138–140
Physical abuse, see Child maltreatment
Police, see Law enforcement
Police lockups, juveniles admitted, 121
Population, juvenile
by age, 2
by demographic characteristics, 6
by race/ethnicity, 2, 6
by county, 4–6
by State, 3
projection for the year 2010, 2
proportion arrested, 51
trends, 2
Poverty
by county, 8
by demographic characteristics, 7–9, 10
by race/ethnicity, 7, 8
by State, 9
families with children, 7
juvenile proportion of poverty population, 7
trends, 7
Pregnancy, see Teen mothers
Prisons, 178, 179–180, see also Jails, Juvenile facilities
Probation
cases placed on, 133–135, 139–140
organization, administration of, 90
Property Crime Index, see also specific offenses
definition, 98, 115
juvenile arrests, 100
county rates, 115
female trends, 117
juvenile vs. adult trends, 109, 110
race trends, 116
State rates, 114
trends, 109, 116–117
vs. Violent Crime Index juvenile arrests, 115–117
juvenile proportion, arrests and clearances, 101
trends, 117
Prosecutorial discretion, see Transfer to criminal court
Prosecutors use of juvenile records, 125
Race/ethnicity
arrest patterns, 104, 106–108, 116, 118–120
average length of stay in custody, 177
detained juveniles, 144
family living arrangements, 10, 175
gang members, 55
homicide offenders, 56
homicide victims, 25
juvenile court cases
adjudicated cases, 133
case rates, 128–129
cases placed on probation, 135
detained cases, 142
informal cases, 131
judicially waived cases, 154
status offense cases, 138–139
urban vs. rural courts, 136
juvenile population, 2–6
juveniles in custody, 166,–167
juveniles in poverty, 7–9
maltreated children, 38
minority overrepresentation in the juvenile justice system, 91–93

Race/ethnicity, continued
offenders, 47, 49, 100
and race of victim, juveniles on death row, 180
recidivism, 51
school dropout rates, 14–16
self-reported drug use, 60
suicide victims, 27
unwed mothers, 12–13
victimization rates, 22–23
Racial disparity, 41, 49, 91–93, 104, 106–108, 116, 118–120, 128–129, 142, 144, 154, 166–167, 178
Rape, see Forcible rape
Recidivism, 49–51, 158–160
Rehabilitation as a juvenile justice system goal, 70–71, 74–75
Remand, see Transfer to criminal court
Rhode Island, see County maps, State detail
Robbery
age-specific arrest rates, 113
juvenile arrests, 100
juvenile vs. adult trends, 109, 110
projection for the year 2010, 111
State rates, 102
trends, 107, 109
juvenile proportion, arrests and clearances, 101
trends, 107
Runaways, 31, see also Missing children, Status offense, Status offenders
juvenile arrests, 100, 109
Schall v. Martin, 81, 82
School crime, 22
gangs, 55
School dropout
costs of, 15, 16
rates
by demographic characteristics, 14–16
by State, 16
trends, 14
reasons for, 15
Secure facilities, see Adult facilities, Juvenile facilities
Sex, sex differences
gang members, 55
homicide victims, 24–26
juvenile court cases
adjudicated cases, 133
case rates, 127
cases placed on probation, 135
detained cases, 142
informal cases, 131
judicially waived cases, 154
status offense cases, 139
juveniles in custody, 165, 177
maltreated children, 34
Sex, sex differences, continued
offenders, 47, 49
by offense, 100, 127
drug offenders
homicide offenders, 56–58
property offenders, 117
and recidivism, 158–159
violent offenders, 105
previously abused adult prison inmates, 42
runaways, 31
school dropouts, 14–15
students reporting drug use, 60
suicide victims, 27
victims, 29
Sexual abuse, see Child maltreatment
Sexual activity, relationship to substance abuse, 13
Single-parent families, see Family living arrangements
Source of referral to juvenile court, 125
South Carolina, see County maps, State detail
South Dakota, see County maps, State detail
State detail, see also County maps
State maps
handguns, laws prohibiting possession by juveniles, 52
Property Crime Index, juvenile arrest rates, 114
transfer provisions
Violent Crime Index, juvenile arrest rates, 102
State tables
admissions to State adult correctional systems, 178
admissions to State correctional custody, distribution by age at admission, 176
average length of stay in State custody, 177
child maltreatment, 38
concurrent jurisdiction provisions, 87
detention population and rates, 145
extended age of juvenile court jurisdiction, 73
judicial waiver provisions, 86
juvenile code, purpose clauses, 71
juvenile population
race/ethnicity proportions, 3
trends, 2
minimum age for death penalty, 179
minimum age for transfer to criminal court, 88
minority overrepresentation in custody, 93, 166
poverty, percent of juveniles in, 9
probation, administration of, 90
State detail, State tables, continued
Property Crime Index, juvenile arrest rates by offense, 114
racial disparity, custody, 93, 166
school dropout rates, 16
single-parent families, percent of children in, 11
statutory exclusion provisions, 89
training school population and rates, 168
upper age of original juvenile court jurisdiction, 73
Violent Crime Index, juvenile arrest rates by offense, 102
State institutions for delinquents, see also Adult facilities, Correctional facilities, Detention centers
organization, administration of, 90
Status offenders
in custody, 143, 144, 147, 165, 167
deinstitutionalization of, 147
Status offending, relationship to substance abuse, 63, 64–65
Status offense, juvenile court cases, 138–140
recidivism, 49–51, 158–160
Statutory exclusion, see also Transfer to criminal court
statutory provisions, 88–89
upper age, 157
Stranger abduction, 31–32, see also Missing children
Substance abuse, see also Drugs
relationship to delinquency, 63, 64–65
relationship to school attendance, 65
Substitute care, see also Correctional facilities, Detention Centers
child characteristics, 41
multiple placements, 41
number of children, 40
rates, 40
reuniting families, 41
time in, 41
trends, 40–41
types of, 40
Voluntary Cooperative Information System, 40
Suicide
custody population, 146, 152, 169, 173
juvenile population, 27
Supplementary Homicide Reports, 24, 56
Supreme Court cases, 80–82, 179
Survey of Youth in Custody, 64, 175
Teen mothers
birth rates, 12–13
risk of low birth weight, 13
trends, 12
unwed, 12
Tennessee, see County maps, State detail

Texas, see County maps, State detail
Theft, see Larceny-theft, Motor vehicle theft, Victimization
Thompson v. Oklahoma, 81, 179
Thrownaways, 31–32, see also Missing children, Child maltreatment
Time limits, juvenile court case processing, 84
Tobacco use, see Drugs
Training schools, 64, 168, 170–174, 175, 176–177, see also Correctional facilities, Detention centers, Adult facilities
Transfer to criminal court
  cases judicially waived, trends in number and characteristics, 154
  impact, 155–157
  minimum age, 88
  statutory provisions, 85–89
    concurrent jurisdiction, 87
    judicial waiver, 85–86
    statutory exclusion, 88–89
Treatment as a juvenile justice system goal, 70–71, 74–75
Truancy, see Status offense, Status offenders
Two-parent families, see Family living arrangements
Under-age drinking, see Status offense, Status offenders
Ungovernability, see Status offense, Status offenders
Uniform Crime Reporting Program, 98–99
Upper age of juvenile court jurisdiction, 73
U.S. Supreme Court cases, 80–82, 179
Utah, see County maps, State detail
Vermont, see County maps, State detail
Victimization, see also Victims and specific offenses
  and weapon use, 21, 23, 26, 29
  by age group, 20, 28
  by armed offenders, 21, 26, 29
Victimization, continued
  by age group, 22
  by crime type, 20, 28
  by family members, 20, 21, 25–26, 29, 30, 31–32, 39
  by race/ethnicity, 22
  by strangers, 20, 21, 25–26, 29, 31–32
  homicide, 24–26
  injuries, 21, 23, 29
  law enforcement response, 22
  National Crime Victimization Survey, 21, 23
  offender traits, 20, 25–26, 29, 30, 31–32, 39
  on school property, 22
  property value of thefts, 22
  rates, 20
  reports to law enforcement, 22
  risk of, 20
  theft, 20–22
  time of day, 30
  trends, 23
    by race/ethnicity, 23, 25
    by sex, 24, 25
    juveniles vs. adults, 23
  victim-offender relationship, 20, 21, 25–26, 29–30
  violent, 20–26, 28
Victims, see also Victimization and specific offenses
  children under age 12, 28–30
    adult offenders, 29
  homicide, 24–26, 28
  juvenile proportion, by crime type, 21, 28
  juvenile vs. adult, 20, 28
  relationship to offender, 20, 21, 25–26, 29–30
  suicide, 27, 146, 169
Violence, 20–22, 23, 24–26, 28–29, 30, 38, 42, 47–48, 97–113, 117, see also Arrests, Offending, Victimization, and specific offenses
Violent Crime Index, see also specific offenses
  age-specific arrest rates, 112
  definition, 98, 103
  juvenile arrests, 100
    county rates, 103
    female trends, 105
    juvenile vs. adult trends, 109, 110
    projection for the year 2010, 111
    race trends, 104
    State rates, 102
    trends, 104–105, 109
    vs. Property Crime Index juvenile arrests, 115–117
  juvenile proportion, arrests and clearances, 101
    trends, 105
  time of day of offending, 48
Virginia, see County maps, State detail
Voluntary Cooperative Information System, 40
Waiver, see Transfer to criminal court
Washington, see County maps, State detail
Weapons, see also Victimization, Offending, and specific offenses
  age-specific arrest rates, 113
  carrying and use, 52–53
  guns, and homicides, 56, 58
  handguns, laws prohibiting possession by juveniles, 52
  juvenile arrests, 100
    juvenile vs. adult trends, 109
    trends, 108, 109
  juvenile proportion of arrests, 101
  relationship to delinquency and drug abuse, 52
  serious offenders vs. high school students, 53
West Virginia, see County maps, State detail
Whites, see Race/ethnicity
Winship case, 81
Wisconsin, see County maps, State detail
Women, see Sex
Wyoming, see County maps, State detail